# Local Government Citizen Advisory Boards

Examples, options, and model practices for the effective and efficient use of advisory boards by local governments





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### Preface

The primary focus of this publication is on local government citizen advisory boards, but the publication also includes a brief discussion of statutory boards that are administrative in nature. For simplification, the use of the term advisory board in this publication generally includes boards, commissions, committees, and task forces.

There is no "one best way" to organize and administer local advisory boards. The procedural organization for advisory boards in larger jurisdictions may be more comprehensive and complex than is needed in smaller ones. To avoid conflict and confusion, MRSC recommends consistency in defining the roles and functions of various advisory bodies within the same governing jurisdiction.

There are many ways to incorporate advisory boards into the governance process. The purpose of this publication is to offer examples, options, and model practices for the effective and efficient use of advisory boards by local governments. This publication represents the collective work of many Washington local governments. Examples in this publication come from Washington local government codes, policies, and Web text. Sample text and illustrations were current at the time this publication was being prepared, but may have been subsequently changed.

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### The Role of Citizen Advisory Boards in Local Government

Volunteer citizen advisory boards are an integral part of American local government. The creation of advisory boards is a way for local governments to engage citizens in the democratic process. Their primary purpose is to provide judicious advice from a citizen perspective. The activities of an advisory board may include the study of critical issues, taking public testimony, performing independent research, and reviewing staff reports and recommendations. These prepare the advisory body to discuss, analyze, formulate, and forward well-developed, thoughtful recommendations to the legislative body.<sup>1</sup>

Advisory bodies help plan the future of their communities. Citizen participation is considered a right and a responsibility by many civic-minded leaders throughout the country. This philosophy is reflected in many policy statements relating to the use of advisory boards. An example is the City of Spokane's policy:

It is the policy of the city to utilize citizen boards, commissions, committees and other groups to aid the process of effective, responsible and efficient government by: marshalling and channeling the resources of expertise and insight available in the community to complement the judgment of the council and professional staff; providing more available forums for dialog and public hearings; providing mechanisms appropriate for the ascertainment of facts and the discernment of views; and broadening the base of citizen participation in the processes of self-government.<sup>2</sup>

#### Benefits of Using Advisory Boards

Ideally, advisory boards bring together citizen views that might not otherwise be heard. They are made up of persons of wide-ranging interests and expertise who want to participate in public service, but who may not wish to hold a public office. Participation on advisory boards may serve as a training ground or stepping stone for qualified persons who are interested in seeking public office. More specifically advisory bodies can:

- provide assistance to the legislative body when formulating public policy and help transform policy decisions into action
- address issues of interest or conduct background work on technical or politically sensitive issues
- serve as a way to build public consensus on controversial issues before elected officials make a decision
- give the community a forum for discussion in greater depth than is possible before a legislative body

<sup>&</sup>lt;sup>1</sup>Adapted from Olympia's Advisory Committee Roles & Expectations, City of Olympia Web: http://www.ci.olympia.wa.us/citygovernment/advisory/Roles\_Expectations.htm, last updated, 6-19-2006.

<sup>&</sup>lt;sup>2</sup>Spokane Municipal Code, Section 4.01.010 – Policy on Boards, Commissions and Other Administrative Agencies.

- provide a more thorough review of complex and significant matters than a part-time council may be able to give
- provide expertise without expending budget money, and
- assist in the resolution of conflicts<sup>3</sup>

<sup>&</sup>lt;sup>3</sup>"Citizen Advisory Boards and Committees," Chapter 3 in *Elected Officials Handbooks: Handbook 2 Building a Policy-Making Team*, 4<sup>th</sup> edition, (Washington, DC: International City/County Management Association, 1994).

For additional discussion, see "Cooperative Achievement: Elected Officials and Advisory Boards Work Together to Strengthen Their Cities," by Marilyn Crotty, *Quality Cities*, Florida League of Cities, March/April 2004.

### Types of Advisory Boards

#### Boards and Commissions Designated by Statute

Washington State statutes designate approximately 32 local government boards for specific purposes. Some are required boards, while others are discretionary. Many of the boards designated by statute have administrative decision-making powers. An example is the local building code board of appeals required by the International Building Code.<sup>4</sup> Salary commissions, authorized for cities, towns and counties,<sup>5</sup> are an example of a discretionary board authorized by statute; it is left up to the discretion of each local governing body whether to create one. See Appendix 1 for a list of statutorily authorized, mandatory and discretionary boards and commissions.

#### Administrative Boards and Advisory Boards

Some boards have administrative functions, while others act strictly in an advisory capacity. Administrative boards generally have managerial, supervisory, or investigative powers. They may act on behalf of the governing body by exercising actual or *de facto* decision-making power. Examples of boards that generally have administrative powers are library boards of trustees, airport boards, utility boards, various boards of appeals, and civil service commissions. Boards created only to advise, recommend policy, or provide other input to the legislative body are considered strictly advisory boards.

Definitions of an advisory board differ among jurisdictions. How it is defined is strictly a local decision, but one that may need some care because of local code terminology defining who is covered by ethics codes or indemnification policies. These two examples illustrate the differences in practice. The City of Port Townsend includes task forces in its definition of advisory body and the City of Lynnwood excludes them.

**Port Townsend** – An *advisory board* is any committee or commission created by the city council to give advice on subjects and perform such other functions as prescribed by the city council. Advisory board also includes task forces, informal committees, or working groups formed by city council resolution for short periods of time or for specific tasks. (*City of Port Townsend Council Rules of Procedure,* Section 4.2.1, updated March 2002)

**Lynnwood** – An *advisory body* means any board or commission, and named board or commission in the ordinance or resolution creating the same, previously, or hereafter, created by the city council to give advice on subjects and perform such other functions as prescribed by the city council. *Advisory body* does not mean task forces, informal committees, or working groups appointed by the mayor or created by the city council for short periods of time or for specific tasks. (Lynnwood Municipal Code, Section 2.24.010 – Definitions)

<sup>&</sup>lt;sup>4</sup>Adopted by the state Building Code Council pursuant to RCW 19.27.031.

<sup>&</sup>lt;sup>5</sup>For cities and towns, see RCW 35.21.015; for counties, see RCW 36.17.024.

#### Use of the Terms Board, Commission, and Committee

There is little uniformity in the use or meaning of the terms *commission, committee*, and *board* in the statutes or when used by Washington local governments. The terms *board, commission*, and *committee* are all used in the statutes to designate certain local government bodies. However, the terms do not distinguish differences in function; whether they are administrative or advisory, mandatory or discretionary.

Several cities refer to all their council created bodies as committees. Their committee hierarchy is: standing committees of the council, special committees, and advisory committees. Their advisory committees include boards, commissions, committees and task forces.

Unless a naming system is used that defines the powers associated with the names, the label given to an advisory or administrative body has little meaning, and may be confusing to the public. Clarification of what is meant by an advisory body might be helpful. A study done for the City of Lake Forest Park in 2007 recommended that the city distinguish between commissions established pursuant to state statute and other discretionary advisory bodies also called *commissions* in Lake Forest Park's organizational scheme.<sup>6</sup>

#### Classification of Advisory Boards

In practice, only a few jurisdictions employ a uniform classification for assigning names to advisory bodies. As noted in the definitions above, an advisory body can be a board, commission, committee, or task force. Dictionary definitions are not helpful in sorting out the differences. Webster defines a *board* as a group of persons having managerial, supervisory, investigatory, or advisory powers. A *commission* is defined as a group of persons directed to perform some duty or a government agency having administrative, legislative, or judicial powers. A *committee* is defined as a body of persons delegated to consider, investigate, take action on, or report on some matter. Washington local governments have park commissions, boards of park commissioners, parks and recreation advisory commissions, park boards, park advisory boards, and parks and recreation advisory boards. Even though the names differ, the responsibilities assigned to the bodies are very similar.

While the terms are often used interchangeably, it may be desirable for a local government to develop some uniform classifications to avoid possible confusion between administrative and advisory boards, and define what is meant by a *board, committee*, and a *commission*. Once they are clearly defined by the jurisdiction, care should be taken to remain consistent.

Definitions developed by the cities of Tacoma and Vancouver serve as examples. These cities are among the few that have defined meanings for the terms *board, commission, committee,* and *taskforce*.

The City of Tacoma has classified and defined citizen groups in its orientation handbook for citizen boards<sup>7</sup> as follows:

*Committee* – City committees are usually formed by resolution. A committee is defined as "a body of persons delegated to consider, investigate, take action on or report on some matter." A committee's recommendations are forwarded to the city council or any other appropriate body for action or

<sup>&</sup>lt;sup>6</sup>Lake Forest Park Volunteer Advisory System Group Report, submitted by Strategic Learning Resources, Inc. (Langley, WA: Strategic Learning Resources, Inc., December 2007)

<sup>&</sup>lt;sup>7</sup>Types of Citizen Groups, City of Tacoma Orientation Handbook for Citizen Committees, Boards, Commissions, and Public Development Authorities (Tacoma, WA: January 2008), 10.

review. The council may also establish specialized committees for specific purposes or for limited duration. Specialized committees include the Sister City committees, the citizen recognition committee, and any other committees the city council may designate.

*Board* – City boards are established pursuant to city charter or ordinance. A board is defined as "a group of persons having managerial, supervisory or investigative powers." Some boards related to city affairs include the public utility board, the library board of trustees, and the board of building appeals.

*Commission* – Generally, city commissions are established by city charter or ordinance or resolution. A commission is defined as "a group of persons directed to perform some duty." Certain city commissions may act in a quasi-judicial capacity. Some commissions established by the city include the planning commission, the arts commission, the landmarks preservation commission, and the human rights commission.

*Task Force* – A city task force is a body appointed by the city council to study or work on a particular subject or problem. The formal definition indicates that a task force is "a temporary grouping under one leader for the purpose of accomplishing a definite objective." Often a task force will cease to exist upon completion of its charge as given by the council.

The City of Vancouver provides definitions in its policies and procedures for advisory committees.8

*Board* – A semi-autonomous body established pursuant to federal or state statute or authority or city ordinance. Actions of a board are usually appealable to designated courts of law.

*Commission* – A body established by city ordinance to study and recommend action to the city council. Authority of commissions is delegated from council or in conjunction with the county commissioners. With the exception of the civil service commission, some actions of commissioners are appealed directly to city council.

*Committee* – A body appointed by council with a specified task or function. Committee action ordinarily will be subjected to review and/or appeal to city council or to a commission established by council.

*Ad hoc Task Force* – A body appointed by council to study or work on a particular subject or problem. A task force will cease to exist upon completion of its charge as given by the council.

<sup>&</sup>lt;sup>8</sup>Section 5.0 – Definitions, City of Vancouver City Council Advisory Committees, *Policies and Procedures* No. 100-06, updated 4-9-07.

### Creating Advisory Boards

While most advisory boards are created to advise the legislative body, boards in larger cities and counties may be created to advise the chief executive, a department, or a subcommittee of a permanent board or commission. Local governments have created many different kinds of advisory boards. A board should be established when there is a need. When the need is no longer present, the board should be abolished, unless it is required by statute.

Advisory bodies may be created as permanent or standing advisory bodies, or as temporary bodies. The meaning of *permanent* refers to those bodies that are created by ordinance or resolution. The method for creating them, by ordinance, resolution, or motion, tends to vary from one jurisdiction to another. Some local governments will codify all the provisions related to permanent boards in the city or county code, while others may only codify those that are designated by state statute. A few do not codify any boards or commissions, though they do have codes.

A formal procedure for creating boards, accompanied by a set of operating procedures for board members, will provide the framework for efficient operation. Advisory boards may carry out their purposes through a variety of activities. The enabling provisions should suggest procedures for carrying out that purpose.

#### Is a Volunteer Advisory Board Member a Public Officer?

Most members of permanent boards and commissions are legally treated as public officers. Whether an appointee to a board or commission is a public officer depends on several factors, including whether the board was authorized by the state statutes. For a discussion of those factors and the relevant court decision, see page 16 in the 2005 edition of the Municipal Research and Services Center's publication *Knowing the Territory*. Since the criteria can be confusing, consult with your legal counsel if it is not clear.<sup>9</sup> It may be prudent to consider all citizens appointed to formally established boards and commissions as public officers.

Some jurisdictions include all advisory board, commission, and committee members in the definition of public officers, others exclude some types of boards, and some do not define the status of advisory body members at all. Definitions for public officers may be located in various places including: comprehensive provisions covering boards and commissions; in individual board provisions; in ethics codes; in indemnification provisions; and occasionally in provisions relating to personnel.

Because of their temporary nature, members of *ad hoc* citizen advisory bodies, such as task forces, may be omitted from the definition of public officer. Whether they are included depends on the powers and tasks assigned. An *ad hoc* body may be given investigative tasks and/or hold public meetings to receive input on the topic being considered. To avoid conflict, some legislative bodies have defined all members of any advisory body to be public officers. The following examples show the wide range of definitions for *officials* and *public officers*:

<sup>&</sup>lt;sup>9</sup>*Knowing the Territory*, Report No. 47 (Seattle: Municipal Research and Services Center, 2005).

**Bothell** defines *official* in the indemnity provisions as any person who is serving or has served as an elected city official, and any person who is serving or has served as an appointed member of any city board, commission, committee or other appointed position with the city. (Bothell Municipal Code, Section 2.25.005 – Indemnification)

**Clallam County** broadly defines *public official* as any individual who is responsible for taking or recommending official county action. (Clallam County Code, Section 3.01.020 – Definitions – Ethics.)

**Lynnwood** defines *city official, officer, or employee* as every individual elected or appointed to an office or position of employment, whether such individual is paid or unpaid. (Lynnwood Municipal Code, Section 2.94.020 – Definitions – Ethics)

**Renton's** definition of *public official* includes all of the elected city officials, together with all appointed officers, including their deputies and assistants of such an officer who determine, or are authorized to determine policy-making decisions within their respective department or office, including appointive members of all municipal boards, commissions and agencies and whose appointment has been made by the mayor and confirmed by the city council. (Renton Municipal Code, Section 1-6-2 – Ethics)

**Richland** defines a *public official* as all elected city officials including the mayor and members of the city council, together with appointive members of city boards, commissions and committees. (Richland Municipal Code, Section 2.26.020 – Ethics)

**Seattle** defines a *city officer or employee* as every individual elected or appointed to an office or position of employment in any city agency, whether such individual is paid or unpaid. *City agency* means every department, office, board, commission, or committee of the city, or any subdivision thereof, but excludes public corporations and ad hoc advisory committees. (Seattle Municipal Code, Section 4.16.030 (D)-(E) – Ethics)

#### Who Makes the Appointments to Citizen Advisory Bodies?

In general, advisory bodies are created by the legislative body. Typically, the statutes provide that the council or commission may, by ordinance, establish advisory boards with such functions and number of members as it may determine. For most mayor-council cities and towns, the statutes provide the mayor with the authority to appoint and remove all non-elected officers of the jurisdiction. In optional municipal code cities, the council may, in some circumstances, require confirmation of mayoral appointments to various boards (see details below). In charter cities, the mayor may appoint individuals to various boards or committees, subject to council confirmation. In the charter counties, the appointment procedures differ somewhat from county to county.

In some jurisdictions, such as the City of Tacoma, the charter grants broad authority to the council regarding both appointment and removal of board and commission members. The relevant statutes, code provisions, and charter provisions, if there is a charter, should be checked to identify who has the authority to appoint and remove members of boards and commissions for your jurisdiction.

References to some of the relevant statutes follow:

**Council-Manager Code Cities** – RCW 35A.13.080 states that the council may provide for the appointment by the mayor, subject to confirmation by the council, of a city planning commission and other advisory citizens' committees, commissions, and boards advisory to the city council.

**Mayor-Council Code Cities** – RCW 35A.12.090 provides that the mayor shall have the power of appointment and removal of all appointive officers and employees. Confirmation of mayoral appointments by the city council may be required by ordinance for positions where qualifications for the office have not been established. The members of most appointive boards and commissions of the city, such as the planning commission and the civil service commission, are considered to be officers of the city; therefore, the mayor has specific authority in RCW 35A.12.090 to make these appointments. The council can appoint *ad hoc* task forces with a specific task whose sole duty is to study a problem and report back to the council. When that specific task is completed, the task force is dissolved.

**Council-Manager Cities** – RCW 35.18.060 states that the council may provide for the appointment by the mayor, subject to confirmation by the council, of the city planning commission and other advisory citizens' committees, commissions, and boards advisory to the city council.

**Mayor-Council Second Class Cities** – RCW 35.23.021 provides that the mayor may appoint, and at his pleasure, remove all appointive officers.

**Counties** – In counties operating with a board of county commissioners, citizen advisory committees are associated with departments that are the responsibility of the county commissioners. The commissioners create the boards and appoint the members. In some charter counties, the executive may recommend appointments, but the council reviews and makes the appointment; in others the executive makes the appointment and the council confirms the appointment.

More detailed information on the appointment process appears in the sections containing policies on nominations and appointments.

## Methods Used to Create an Advisory Body: Resolution, Ordinance, and Motion

State statutes authorize a number of advisory bodies for local government, but the statutes generally do not specify how the body is to be created. There are exceptions. The board of adjustment in a code city, the board of adjustment in a county,<sup>10</sup> and a planning commission in a code city<sup>11</sup> are required to be created by ordinance. A local emergency management organization<sup>12</sup> and a county salary commission<sup>13</sup> may be created by ordinance or resolution.

No uniform methodology has been adopted among Washington local governments for the creation of boards and commissions. Some legislative bodies create their permanent or standing advisory bodies by ordinance, others do it by resolution or a motion of the council

Rules of procedure adopted by legislative bodies sometimes specify whether to use a motion, resolution, or ordinance. For example, the City of Federal Way's rules of procedure provide that it is at the discretion of the council whether the advisory bodies are established by ordinance. The charters of the

<sup>12</sup>WAC 118-30-050.

<sup>&</sup>lt;sup>10</sup>RCW 35A.63.110, RCW 36.70.200.

<sup>&</sup>lt;sup>11</sup>RCW 35A.63.020.

<sup>&</sup>lt;sup>13</sup>RCW 36.17.024.

cities of Bellingham and Everett provide that the council *may* establish advisory boards by ordinance, while the City of Olympia's code directs that *all* citizen member committees are to be established by ordinance.<sup>14</sup>

More specific direction is provided in the following examples:

**Clallam County** provides that boards, commissions, and committees are created under the authority of county ordinances or by resolution of the board of commissioners. (Clallam County Administrative Policy 902.1, Revised 2-24-04)

**Olympia** provides that all citizen-member committees appointed by the city council shall be established by ordinance of the city. (Olympia Municipal Code, Section 02.100.020 – Committees Established)

**Puyallup** provides that no committee, board or commission shall have official or legal status until such committee or board or commission has first been approved by resolution or ordinance of the city council. (Puyallup Council Rules of Procedure, Section 8.2, Revised 8-18-03)

**Snohomish** provides that all committees (meaning boards, commissions, and committees) shall be created by ordinance. (Snohomish Municipal Code, Chapter 2.06)

**Port Townsend** provides that all standing committees shall be established or provided by council resolution. All other council committees, boards, liaisons, blue ribbon work groups, and citizen's taskforce groups and rules or operating procedures shall be established by council directive. (Port Townsend Council Rules of Procedure, Section 4.1 (a)-(b), Revised 3-04-02)

If the body is of a permanent nature, consideration should be given to using an ordinance or resolution. Codifying the enabling legislation provides easy reference to permanent advisory boards. For general guidelines on whether to use a resolution, ordinance, or motion, see Municipal Research and Services Center's publication, *Local Ordinances for Washington Cities and Counties*, Report No. 50, May 2000.

#### Number and Size of Advisory Boards

There is no optimum number of advisory boards for a community. Some jurisdictions have many boards, others have only a few. The larger the community, the greater the need to involve more community members in the decision making process. While it is desirable to foster civic participation, the boards created must be manageable, be adequately staffed, and serve a useful purpose.

In the popular *Elected Officials Little Handbook*, Len Wood advises that councils should resist establishing a commission for every new problem. "Is the commission being formed to placate a group, or is there a real need that cannot be addressed in another manner?" Woods noted that the need for representation should be balanced with the inefficiencies of working with large groups. "What is the fewest number of members the commission can get by with and still achieve the mission?"<sup>15</sup>

<sup>&</sup>lt;sup>14</sup>Bellingham City Charter, Article 7.01 – The council may, by ordinance, establish advisory boards with such functions and number of members as it may determine. Everett City Charter, Section 5.02 – The council may, by ordinance, establish or dissolve advisory boards, with such advisory functions and number of members as it may determine.

<sup>&</sup>lt;sup>15</sup>Len Wood, *Elected Official's Little Handbook: A Portable Guide for Local Government Legislators* (Rancho Palos Verdes, CA: the Training Shoppe, 1994), 32-39.

The number of board members needed depends on the duties, responsibilities, and membership requirements. A task force or study commission may require more members than a standing policy advisory group. There should be a sufficient number of persons to fulfill the charge of the board and provide adequate representation of community interests.

For certain boards and commissions designated by statute, the number of members, the appointing authority, and the membership criteria is provided. Examples include: LEOFF disability boards, volunteer fire fighter and reserve officers boards of trustees, county boards of equalization, lodging tax advisory commissions, off street parking commissions, and veterans advisory boards.

### Policies and Procedures for Advisory Boards

Policies and procedures provide guidelines for the appointing authority and operating procedures for the advisory boards. Successful use of advisory bodies requires that they be given context within the jurisdiction's operating structure.

Jurisdictions should adopt policies and procedures for their advisory boards and require that essential basic issues be covered in the document that creates each board. Those basics include:

- the purpose of the board with specific goals to provide direction
- membership qualifications
- number of members and appointment procedure
- length of appointment and method for removal or replacement
- internal organization
- procedures for the conduct of meetings and meeting schedules
- administrative assistance from staff
- reporting requirements
- evaluation process

Additional topics that might be included in a procedures manual or handbook are: procedures for recruiting board members, selection process and selection criteria, staff liaisons, filling vacancies, record keeping requirements, ethics, compliance with the open public meetings act, and compliance with the appearance of fairness statutes. For advisory bodies authorized by state statute, check to see if the statues establish specific requirements for the body, such as number of members, qualifications for membership, and appointment procedures.

The documents containing local government policies and procedures for advisory boards vary. Whether they are codified, part of council or commission rules of procedure, contained in handbooks or manuals, or in a formal policies and procedures manual, they need to be made readily available to all. Some jurisdictions post copies on the Web along with other advisory board information. See Appendix 3 for examples of advisory board rules of procedure and policies

#### Purpose and Function of Advisory Boards

Ideally, every board, commission, or committee should have a specific statement of purpose and function, as outlined in these examples:

**Edgewood** – Every advisory body, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the council to determine its effectiveness. This statement of purpose is made available to all citizen members when they are appointed. (Edgewood Council Rules of Procedure, Section 20.5, October 2006)

**Port Townsend** – Each advisory board, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the city council to determine its effectiveness. This statement of purpose, as well as other information regarding duties and responsibilities, will be made available to all members when appointed. The city council may determine any specific guidelines or tasks to be referred to the advisory board by motion or resolution. Each advisory board shall develop a scope of work, within the jurisdiction and area of responsibility consistent with the city council resolution forming the board. (Port Townsend Rules of Procedure Section 4.2.3, Revised 03-04-02)

**Snohomish County** – Special purpose bodies known as *ad hoc* or advisory committees are subject to the following: (1) Purpose and length. At the time of their creation, *ad hoc* or advisory committees shall be charged by the executive and/or council with a written mandate including specific purpose(s) and desired product(s). In addition, timing provisions including an automatic date of disbanding, shall be set by the creating authority. Such dates may be altered by council resolution. (Snohomish County Code, Section 2.03.090 – Ad Hoc or Advisory Committees)

#### Staffing of Advisory Boards

Prior to the formation of a new board or commission, consideration should be given to the staff who will be assigned to the board, the resources that will be needed, and the fiscal impacts. Some examples of staffing provisions follow:

**Richland** – Whenever possible, the administrative officer of the department or offices most closely connected with the activity of a board, commission or committee shall serve as secretary of that board, commission or committee. (Richland Municipal Code, Section 2.04.110 – Boards, Commissions and Committees)

**Olympia** – The city manager, or designee, shall appoint a primary staff liaison for each committee to ensure that meeting notifications and recordkeeping occurs consistent with applicable state laws; to provide professional guidance, issue analysis and recommendations; to assist the committee with research, report preparation, and correspondence in keeping with the committee's council-approved work plan; and to perform other committee liaison duties as may be assigned by the city manager or designee. (Olympia Municipal Code, Section 02.100.090 – Staff Liaison Support)

In addition to the code provision, Olympia provides guidance to staff liaisons in *Advisory Committee Roles & Expectations*.<sup>16</sup> Olympia's staff liaisons are responsible for:

- ensuring that meeting notifications and recordkeeping occurs consistent with applicable state laws
- serving as a communication link between the committee, city administration, departments, and the city council, as appropriate
- providing professional guidance, issue analysis, and recommendations
- assisting the committee with research, report preparation, and correspondence in keeping with the committee's council-approved work plan and depending on their work load and time availability
- making sure the intent of the advisory committee is not lost after a decision, and that it is conveyed to the city council in a timely manner
- assisting the advisory committee in staying on track and focused
- presenting advisory committee recommendations to the city council, if requested to do so by either the committee or the city council
- maintaining a positive working relationship with the chair and committee members

<sup>&</sup>lt;sup>16</sup>Olympia's Advisory Committee Roles & Expectations, City of Olympia Web: http://www.ci.olympia.wa.us/citygovernment/advisory/Roles\_Expectations.htm, last updated 6-19-06.

#### Membership Criteria - Qualifications for Advisory Boards

#### **Citizenship and Residency Requirements**

State law requires citizenship for certain boards,<sup>17</sup> and membership on some boards is restricted to electors of the jurisdiction.<sup>18</sup>

Citizenship can be required for other advisory boards by local ordinance as a qualification for membership, but few jurisdictions have done so. RCW 35.21.200 provides that any city or town may, by ordinance of its legislative authority, determine whether there shall be any residential qualifications for any or all of its appointive officials. Residency requirements for advisory bodies vary, but nearly all jurisdictions have some kind of residency qualifications.

Most application forms for advisory boards and commissions ask whether the volunteer is a resident. If residency is a requirement, the invitations and application forms should make that clear. Policies may restrict membership to persons living within the city limits, or a resident of a city ward or a county council or commission district. Residency may be defined to include persons residing within the urban growth boundary, within the surrounding school district, or some other boundary such as a library capital facilities district. Many cities open board membership to persons who work within the city. When changing its residency requirements, the City of Bellingham noted in the preamble to the ordinance that it may not always be possible to obtain an adequate number of qualified professionals to fill such boards and commissions if members must meet the city residency requirements.<sup>19</sup>

The goals and purpose of the particular board also may define board membership qualifications. A few examples have been included as illustrations:

**Bellingham** requires that unless the ordinance establishing the board or commission specifies otherwise, every member shall be a citizen of the United States and an elector of the City of Bellingham, a resident of the State of Washington for at least 3 years and of the City of Bellingham for at least 2 years previous to his appointment as a member of any board or commission. (Bellingham Municipal Code, Section 3.08.010)

**Bothell's** residence requirements vary with the particular board. For example, the landmark preservation board members must reside within city's urban growth area boundary, with a majority of the membership residing within the city limits; only the council member representative must reside within the Bothell city limits for the lodging tax advisory committee; and all members of the shorelines board must reside in the city. (Bothell Municipal Code, Title 2)

Lake Forest Park requires members of the planning and civil service commissions (the latter is state law) to be residents. On other commissions, business owners or employees of businesses located in Lake Forest Park may serve in one position. The economic development commission may have three

<sup>&</sup>lt;sup>17</sup>RCW 41.08.030 – Civil Service – U.S. citizen, resident for 3 years, and elector; RCW 41.12.030 – Civil Service for City Police – U.S. citizen, resident for 3 years, and elector; RCW 35.14.020 – Community Municipal Corporations – qualified elector; RCW 35.23.480 – Publicity Board – must be resident property owners and voters in the city; RCW 41.14.030 – Civil Service for Sheriff's Office – U.S. citizen, resident county for 2 years, elector of the county of residence.

 $<sup>^{18}</sup>$ RCW 29.01.065 defines an elector as any person who possesses all of the qualifications to vote under Article VI of the state Constitution. Article VI § 1 – Qualifications of Electors – All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote.

<sup>&</sup>lt;sup>19</sup>Bellingham Ordinance No. 2006-05-049, passed 05-01-06.

nonresidents who own or work for local businesses. (Lake Forest Park Municipal Code, Section 2.22.070 (F))

**Port Townsend's** general policy is that each person at the time of nomination, and while serving on an advisory board, shall be a resident of and/or work in the city. The community oriented policing advisory board members shall either be city residents or work, conduct volunteer activities, or attend school within the city. (*City of Port Townsend City Council Rules of Procedure*, Section 4.24 (A), Revised 3-4-02)

**Renton** provides that any member of a board or commission must be a citizen of the United States. Such member shall be a citizen of the City of Renton unless state law or the authorizing ordinance states otherwise or the commissioner is to represent a certain segment of society, i.e., a business representative doing business with the city but not necessarily a citizen of Renton. The citizenship condition may be waived by the council, upon request by the mayor. (Renton Municipal Code, Section 2-18-1 – Citizenship)

**Snohomish County** council's appointment guidelines state that the person must reside or work in Snohomish County, or show evidence of special interest in Snohomish County. (Snohomish County Code, Section 2.03.060 – Boards and Commissions – General Requirements)

#### **Representation of Specialized Knowledge and Interest Groups**

Membership criteria for some boards reflect the purpose of the body being created. Some boards require that members have special knowledge or represent certain groups. Statutorily authorized boards, commissions, and committees may have specific qualifications set out in the enabling legislation, as in the two examples below:

**Lodging Tax Advisory Committee** – RCW 67.28.1817 requires the appointment of lodging tax advisory committees in certain jurisdictions. At least two members must be representatives of businesses required to collect the lodging tax, and two members must be involved in activities authorized to be funded by revenue received from the tax; and that each group be represented by the same number of committee members.

**Veteran's Advisory Board** – RCW 73.08.035(2) directs that the county legislative authority solicit representatives from either local branches of nationally recognized veterans' service organizations or the veterans' community at large, or both, to serve on the board. No fewer than a majority of the board members shall be members from nationally recognized veterans' service organizations and only veterans are eligible to serve as board members.

County agricultural advisory boards serve as a good example for how local governments can tailor their board membership requirements to meet their specific needs. San Juan County requires that at least 50 percent of the membership be farmers, while Snohomish County attempts to balance representation of the two major river basins and requires that all members be engaged in commercial agricultural activities within the county.

**San Juan County Agricultural Resources Committee** has no more than 15 members representing (1) relevant agricultural expertise; (2) local produce farmers; (3) local livestock farmers; (4) local farmers market representative (either one representative from each or one representing all markets); (5) affected/related economic interests (such as retail food businesses – restaurants, grocers, etc.); (6) San Juan County economic development council; (7) San Juan County Conservation District; (8) San Juan County Land Bank, San Juan Preservation Trust, or other local land trusts; (9) Island Grown Farmers Cooperative; (10) San Juan County granges (either one representative from each or one representing all granges); (11) WSU Extension; (12) commercial forest landowner; (13) citizens

at large; (14) one representative from health and community services (nonvoting member). (San Juan County Code, Section 2.24.020(B) – Purpose and Goals)

**Snohomish County's Agricultural Advisory Board** has eleven members which includes one person in the dairy, nursery, livestock, commodity crops, and agricultural direct marketing industries; a representative of the diking, drainage and flood control districts located in the Snohomish River basin and one from the Stillaguamish River basin; one person who is engaged in the equine industry; one person recommended by the Snohomish County Farm Bureau; and one person each residing in the Stillaguamish and Snohomish River basins. (Snohomish County Code, Section 2.06.020 – Board Membership)

Arts commissions and historic preservation commissions tend to be very broad in their board member representation. Typical language includes the phrase "have a demonstrated interest and competence in..." The specific type of representation may vary.

**Bellingham Municipal Arts Commission** – 11 members – At least three shall be lay members, and the others shall be selected so as to represent as many as possible of the following arts and professions: Painting, sculpture, music, literature, architecture and landscape architecture, and one member learned in the historic traditions of the city. The mayor shall solicit suggested nominations for such appointments from architectural, art, musical, literary, educational, museum, and other cultural organizations for the nonlay members. (Bellingham Municipal Code, Section 2.36.010 – Established – Membership)

**Kitsap County Arts Board** – 9 members – Three from each of the three districts. Members shall be broadly representative of all fields of the arts including architecture and design. They shall include persons who are widely known for their professional competence and experience in the arts and laypersons knowledgeable in the arts. (Kitsap County Code, Section 4.98.040 – One Percent for the Art Program – Arts Board Established)

**Bellingham's Historic Preservation Commission** requires that members have a demonstrated interest and competence in historic preservation; at least four professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of architecture, history, architectural history, planning, archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture, or related disciplines; and a member from Allied Arts. (Bellingham Municipal Code, Section 2.54.010 – Created – Membership)

**Tacoma's Landmark Commission** requires three architects, four individuals with professional expertise in preservation related fields, one representative from the Tacoma Arts Commission, and three interested citizens. Nonvoting ex-officio members may be appointed to represent property and business owners within Tacoma's historic districts. (Tacoma Municipal Code, Section 1.42.040 – Composition of Landmarks Preservation Commission)

Economic development and parking related commissions include members from the business community. The number and areas of representation vary.

**Kirkland's Parking Advisory Board** includes downtown commercial property owners, professionals in service industries, retailers, restaurateurs, residents of downtown Kirkland or an adjacent neighborhood with an interest in and knowledge of downtown parking issues. (Kirkland Ordinance No. 4088)

**Richland's Central Business District Parking Committee** includes five merchants or owners appointed by the city council. The members must either own or operate a business or own property in the Uptown Shopping Center. In the event that the city acquires ownership of the downtown shopping area parking lots, eligibility for membership will also be extended to those who operate businesses or own property in the downtown shopping area and the size of the committee will be expanded to seven (7) persons. (Richland Municipal Code, Section 2.19.010 – Management of the Municipal Parking Areas)

**Burien's Business and Economic Development Partnership** provides that the voting membership shall be selected with a goal of having predominantly business representation. To the extent available, representation should include applicants from the following areas serving Burien: (a) business owners, managers and employees; (b) commercial property owners; (c) chambers of commerce and merchants' associations; (d) Burien city residents; (e) employment and job training services; (f) education; (g) others with interest in Burien. (Burien Municipal Code, Section 2.50.020 – Membership)

**Tukwila's Economic Development Advisory Board** consists of 13 board members who shall be representative of the industrial, business and residential composition of the city. (Tukwila Municipal Code, Section 2.35.020 – Composition of Board)

#### **Demographic Representation**

Among its policies, Tacoma considers the composition of the committee, board, or commission when making appointments and attempts to ensure that committee membership represents the age, gender, geographic, and cultural diversity of the community. This is a suggested approach for all jurisdictions.

Depending on the nature of the advisory body, it may be desirable to have membership represent neighborhoods within the jurisdiction. Snohomish County's desire to balance the two river valleys on its agricultural advisory board was previously noted. Other illustrative examples include:

**Lakewood's Transportation Advisory Committee** membership calls for citizens having a technical background and contains a provision that the mayor and council also endeavor to appoint members from neighborhoods throughout the city. (Lakewood Municipal Code, Section 2.44.020 – Membership)

**Lake Forest Park** provides that balanced geographic representation of the city, consumer/citizen interests, and professional expertise on a commission should be a consideration for appointment to commission vacancies. (Lake Forest Park Municipal Code, Section 2.22.020 (G) – Commission Role and Duties)

**King County** states that when appointing and confirming members to certain boards, commissions, and committees it shall be the goal to have geographical diversity and balance. For some boards, the number of persons from the same council district is limited to two. (King County Code, Section 2.28.0015 (C) – Nomination and Appointment – Procedures, Considerations)

#### Prohibition of City and County Employees and Others Serving on Advisory Boards

Most local governments prohibit employees from serving on advisory boards, except as advisors or staff liaisons. Some local government boards prohibit persons with certain contract interests from membership on a specific board. An example is the City of Issaquah's Human Rights Commission, "whose members shall consist of individuals who have an interest in human services as evidenced by knowledge, support and experience. At no time shall a member of the Commission also be employed by, or serve on the Board of Directors of a human service agency delivering services to City residents." (Issaquah Ordinance No. 2494)

#### Youth Involvement on Citizen Advisory Boards

Youth can be encouraged to take an interest in local government by involving them in the decisionmaking process. The Institute for Youth, Education, and Families at the National League of Cities states: "Nothing is more important to the health of our democracy than the active engagement of young people in representative government at the local level."<sup>20</sup>

One method for providing a voice for youth is the representation of youth members on advisory boards. Another method is the creation of youth commissions or boards to advise the legislative body on matters related to youth. *Youth* is defined by the United Nations "as being between the ages of 15 and 24."<sup>21</sup> *Teenagers* are often defined as between 13 and 19 years of age; and *young adults* as 20 to 24 years of age. Most Washington local government boards define youth membership as being in high school, with varying ages. The City of Seattle has a program, called "Get Engaged," that encourages young adults, 18 to 29 years of age, to participate on boards and commissions.

By creating programs to involve youth in local decision making, the community builds assets and resources for local government policy-makers who are seeking effective solutions to community problems.

Several Washington cities provide a seat for youth members on various advisory boards; the most prevalent are park and library boards. The ages vary, but typically youth membership is set at the ages of 16 to 18, or sophomore to senior high school grade level. A few examples are listed below, including those with higher age limits (see those of Renton and Seattle).

**Kirkland** provides for a two-year term for *youth-specific* seats on the human services advisory committee, the library board, the park board, and the transportation commission. Qualifications are: a resident of Kirkland or Kirkland's annexation areas and has attained the grade level of sophomore or junior by September of the year of appointment. Appointees may complete their terms even if they reach the age of 18 during their terms. All other qualifications and requirements applicable to board or commission members apply to the youth member. (Kirkland Municipal Code, Section 3.08.110 – Youth Member of Boards and Commissions)

**Lacey** includes youth members on the historical commission, park commission, and library board. Requirements include: that youth members be between the ages of 16 and 18 when appointed; be enrolled as a junior or senior in the North Thurston School District; or be enrolled in private school or home schooled in Lacey or Lacey's Urban Growth Management Area; and be a resident of the City of Lacey or reside in Lacey's Urban Growth Management Area. (Lacey Municipal Code, Sections 2.42.020(A), 2.44.020, and 2.46.020 – Membership –Terms)

**Seattle** *Get Engaged* is a cooperative program between the city and the YMCA. It places young people, ages 18-29, on advisory boards and commissions to give input on policy decisions, issue recommendations, and create a mechanism for citizen feedback within city government. The YMCA recruits the participants and provides training and support, while the city offers special one-year positions on the boards and commissions and partially funds the YMCA support work. (Greater Seattle YMCA Web:

http://www.seattleymca.org/files/28/2008%20Get%20Engaged%20Overview%20Final3.pdf)

<sup>&</sup>lt;sup>20</sup>*Promoting Youth Participation*, Action Kit for Municipal Leaders, Issue #3, Institute for Youth, Education, and Families (Washington, DC: National League of Cities, 2003.

<sup>&</sup>lt;sup>21</sup>Youth at the United Nations FAQs Q – What does the UN mean by "youth," and how does this definition differ from that given to children? http://www.un.org/esa/socdev/unyin/qanda.htm#1.

Some jurisdictions have created youth commissions to advise policy-makers on issues affecting youth. Some cities have found youth commissions effective while others have abandoned them for lack of participation.

**Bellevue's Youth Link Board** advises the Bellevue city council and city manager on youth matters and programs and is authorized by the city to award funding for community youth projects. The board is comprised of 6 youths and 6 adults appointed by the city manager.

**Clark County's Youth Commission** provides a youth-oriented point of view to the work of the board of county commissioners, county departments, and community organizations about issues important to youth; makes suggestions on how to address the issues important to youth; and provides instruction on how to build positive partnerships with youth. Members are ages 11-19.

#### Policies on the Recruitment of Members

Policies for recruitment and appointment of board members should establish a process that assures a balance of viewpoints and is open and fair to all involved. This section focuses on recruiting qualified citizens to participate on advisory boards.

The screening process for selection of volunteers to serve on local government boards should seek persons with a strong interest and a willingness to contribute the necessary hours. If board members with specific experience or expertise are needed, the credentials of the applicants should be reviewed carefully to insure that adequate knowledge is available to accomplish the goals and objectives of the specific advisory group.

#### Why Citizens Volunteer for Advisory Boards

The reasons people volunteer for service on advisory boards are as varied as the people themselves. Some of the most common reasons include:

- feeling that they can help shape policy
- looking for a change of pace or to add variety to their life
- fulfilling a civic duty
- desiring to become involved and give something back to the community
- wishing to donate their professional skill
- wanting to have an impact
- seeking recognition
- wanting to meet other people

#### **Expectations for Advisory Board Members**

When citizens volunteer to serve on an advisory board, they need to know what is expected of them. The tasks and work plan may be outlined in the enabling legislation for individual boards, but unlike employees, there are no general rules of conduct for volunteers. To provide guidance, some jurisdictions have drafted a set of expectations for their volunteers. Examples appear below from the cities of Lake Forest Park and Olympia and Kitsap County:

Lake Forest Park Commissioner's Manual<sup>22</sup> – Appointed members of an advisory commission are expected to:

<sup>&</sup>lt;sup>22</sup>Section 3, The Different Types of Commissions and Their Responsibilities, *Lake Forest Park Commissioner's Manual* (Lake Forest Park, WA: 2001), 11.

- listen carefully to community opinions, attitudes, and needs and report to the mayor and the council;
- study programs and services, and analyze problems and needs;
- offer new proposals and recommend changes in programs, policies, and standards;
- provide the public with information and interpretation of policies, programs, and budgets.

#### Olympia Expectations for Advisory Committee Members<sup>23</sup>

- All advisory board and committee meetings are to be conducted in public session and noticed in accordance with state law, unless otherwise advised by Olympia's city attorney.
- Individual committee members and the collective group will be fair, impartial, and respectful of the public, staff, and each other.
- Committee members will respect the limitations of their individual and collective authority. The role of the committee is to advise the city council and/or staff. Please keep in mind that committee appointment does not empower you to make final decisions, unless authorized by state law or the group's enabling ordinance, or to supervise staff.
- Members will strive to appreciate differences in approach and point of view, whether from each other, the community, the city council, or staff.
- Each member will participate in the group's discussions and work assignments without dominating the discussion or activity of the committee.
- The committee chair will ensure that all members have a fair, balanced, and respectful opportunity to share their knowledge and perspectives.
- The committee will attempt to reach consensus on issues. If consensus is not possible, strong differing opinions, such as "minority" opinions, should be recorded and acknowledged in the committee's report to the city council.
- There should be "no surprises" from the committee, either in the nature of the work being undertaken by the committee or the method and timing for conveyance of recommendations to the city council. The staff liaison fulfills an important role in assisting the committee in this regard.

#### Kitsap County Boards and Commissions Handbook<sup>24</sup>

If you are appointed as a member of an advisory group, you will be expected to:

- interpret community opinions, attitudes, and needs to department staff and the commissioners;
- study programs and services, and analyze problems and needs;
- offer new proposals and recommend changes in programs and policies;
- provide fellow community members with information about county policies, programs, and budgets.

When presenting recommendations to the commissioners, it is essential that advisory group members keep the following in mind:

- all recommendations should be in written form;
- all ideas should be expressed in clear and concise language;
- proposed solutions should be viable and cost-effective;

<sup>&</sup>lt;sup>23</sup>Olympia's Advisory Committee Roles & Expectations, City of Olympia Web: http://www.ci.olympia.wa.us/citygovernment/advisory/Roles\_Expectations.htm, last updated, 6-19-2006]

<sup>&</sup>lt;sup>24</sup>"Being an Effective Advisory Group Member," *Kitsap County Boards and Commissions Handbook Kitsap County*, compiled by Jan Koske (Port Orchard, WA: Kitsap County, Revised November 2004), 6-7.

- recommendations should identify the reasons for the changes suggested;
- the advice should reflect a consensus of a majority of the group members.

#### **Procedures for Recruiting New Board Members**

Several jurisdictions have written step-by-step procedures for recruiting new board members, including advertising, the application process, and the selection process. A few examples are included as illustrations:

**Bothell City Council Protocol Manual**, Chapter 2.08 – Advisory Bodies outlines the following procedures under Section A. Appointments Made by the Council.

For full-term vacancies, the following filing period is established: first Wednesday of January through second full week of February. The city clerk will:

a. Publicly announce the position vacancy and filing period by publication of it in the official newspaper of the City of Bothell.

b. Post notices of the position vacancy and filing period in the three public places established in Section 8.02(B) of this manual.

c. Notify by mail all residents of the community not currently a member of an advisory board or commission who have indicated interest in serving on a city board or commission.

d. Notify by mail the chairpersons of advisory boards and commissions of the vacancy.

e. Notify by mail the incumbents of advisory boards and commissions whose terms are expiring of such term expiration and inviting incumbent to consider reapplying.

For partial-term vacancies, a minimum 30-day filing period applies, with dates to be determined by the city clerk. Partial-term vacancies will be filled as outlined in Section 2.08(A)(1a-d). Applications

Applications for appointment and orientation packets specific to a board of choice are made available at the office of the city clerk.

Applicants are required to review the orientation packet prior to submission of their application and return a signed application and supporting information, to include signing the city code of ethics, to the city clerk by the advertised deadline.

Applicants may apply for more than one board by indicating 1st, 2nd, 3rd, etc., preferences. Individuals currently serving on a city board are not prevented from applying for a different board. However, that volunteer would be required to resign from the previous board.

Whatcom County Code 2.03.080 – Vacancies on Citizen Boards, Committees and Commissions.

A. The clerk of the council shall cause to be compiled and published annually a listing of vacancies and anticipated vacancies on all citizen boards, committees, and commissions within the appointive jurisdiction of both the council and the executive.

B. The listing shall state the title and term of office of each position, residency requirements (if any), the appointing authority, and an address and telephone number for obtaining further information or for making applications. The listing shall also include a brief description of the duties of each position and information on when the regular meetings of the body in question are held.

C. The listing shall be posted in conspicuous places in the courthouse; provided to all county council members, public libraries and city halls in the county; and be made available to the public and news media at no charge.

D. Persons expressing an interest in applying for appointment to a council-appointed position on a board, commission, or committee shall be given an application form which they must complete and file with the clerk, giving their name, address, telephone number, occupation, and relevant qualifications. The applications shall be kept on file in the clerk's office.

E. Persons expressing an interest in applying for appointment to an executive-appointed position on a board, commission, or committee shall be given an application form which they must complete and file with the executive's office, giving their name, address, telephone number, occupation, and relevant qualifications. The applications shall be kept on file in the executive's office.

#### **The Invitation**

As many citizens as possible should be given the opportunity to participate in local government. Participation on advisory boards is one of those opportunities. Various forms of media can be used to publicize board vacancies: notices in the jurisdiction's official newspaper; news articles, press releases, postings in places where citizens congregate, such as libraries and community centers; and postings on the Web. An upbeat friendly tone may be more effective that a perfunctory, bureaucratic notice of vacancy. Here are some illustrations taken from public invitations found on the Web:

The City of **Battle Ground** strives to build a productive working relationship between citizens and city departments. Citizens who serve on boards and commissions help to enhance diversity and ensure quality services to meet the needs of our growing city.... We invite you to learn more about the citizens who comprise these groups as they represent the voice of the community. If you would like to become an active part of any of the boards and commissions that the City of Battle Ground offers please complete the talent bank application or contact us with any questions you might have!

More than 30 citizen advisory committees and boards help shape **Clark County's** future. From weed management to traffic safety, these groups advise county departments and the Board of Clark County Commissioners. To learn more about the work of the group, contact the staff person. If you're interested in serving on a committee or board, write to–. Indicate the committee or board you are interested in. If you're not selected right away, remember that many people apply and that there are not always openings available. The county keeps all letters of application on file and reviews them whenever there is an opening.

**Seattle and Seattle YMCA's Get Engaged Program** – Mayor Greg Nickels is looking for people aged 18-29 interested in making a difference through public service. As part of the YMCA's Get Engaged program, Nickels will appoint people in this age group to thirteen of the city's boards and commissions this fall.

**Seattle** – Do you want to provide input on city policies, and help shape both our city and its government? Apply today to serve on a city board or commission!

**Sumner** – You're invited! Please consider participating on one of our boards and commissions. Your input gives the city valuable information and expertise that might not otherwise be available. It helps our citizens learn more about the city and enhances the sense of community that makes Sumner a special place.

#### **The Application**

Most applications for advisory boards request information about professional and personal experience, including participation in community activities, related to the board position for which the person is applying. Applicants are usually asked to express why they are interested in serving on a particular board. Other information often requested relates to residency and conflict of interest. The City of

Tacoma, which has a policy to strive for racial balance on its boards, asks about ethnicity. Sample application forms are included in Appendix 2.

An application for appointment to an advisory board position is a public record, and there is no specific statute exempting such applications from disclosure under the Public Records Act. While RCW 42.56.250(2) exempts from disclosure "All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant," positions on volunteer boards are not normally considered *public employment*. Consequently, applications for advisory board membership and other accompanied supplemental information would need to be disclosed upon request.

Contact information and other similar type information submitted by a volunteer to a local government is exempted from disclosure by RCW 42.56.250(3), which exempts: "The residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, and emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal electronic mail addresses, social security numbers, personal electronic mail addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency that are held by any public agency in personnel records, public employment related records, or volunteer rosters, or are included in any mailing list of employees or volunteers of any public agency." Because persons holding positions on advisory boards and commissions are *volunteers*, as soon as they are appointed the exemption applies and all such information should be redacted (deleted) from records before being disclosed.

#### Policies on the Nomination and Selection Process

Jurisdictions should establish consistent policies regarding the selection of citizens to serve on advisory boards so as to assure compliance with appearance of fairness and conflict of interest provisions. The selection process for board members can be simple or detailed. Sample polices from the cities of Bothell, Edgewood, Lake Forest Park, and Vancouver are set forth below as examples.

#### \* \* \* \* \* \* \*

**Bothell** *City Council Protocol Manual*<sup>25</sup> provides the following criteria for evaluation of nominees:

Knowledge of Municipal and Planning Process – When ranking equally qualified applicants, the council will consider background experience and knowledge of the municipal process as appropriate to the position in reaching its decisions.

Contributive Potential – The council will evaluate the potential contribution that each applicant may make if appointed to a board or commission. Criteria to guide the council in its evaluation may include:

- a. Ability to communicate
- b. Desire to perform public service
- c. Ability to express ideas, concepts, or philosophies
- d. Desire to participate in decision-making process

<sup>&</sup>lt;sup>25</sup>Chapter 2.08 (B) – Advisory Bodies – Qualifications, Terms of Service, Forms, *City of Bothell City Council Protocol Manual* (Bothell, WA, Revised April 2007), 15.

Leadership Potential – Since each appointee may be called upon to serve as a chair, the council will evaluate leadership abilities, such as:

a. Past or present leadership experience (current employment, special interests, etc.)

- b. Past or present participation in community services
- c. Expressed interest in a leadership role

#### \* \* \* \* \* \* \*

Edgewood's *Council Rules of Procedure*<sup>26</sup> provides a detailed process for ranking applicants:

Citizen board, commission, committee, and task force members shall be selected in accordance with the following procedures:

The city council, as a committee of the whole, shall review and rank application packets to aid the mayor in selecting candidates to interview. Should there be four or fewer applicants for any one position, all candidates shall be interviewed by the council and the prescreening of the candidates shall not be required.

The city council, as a committee of the whole, shall interview candidates in a panel format, with all candidates participating in the interview session concurrently. Councilmembers are encouraged to develop a short list of questions they would like to ask of the candidates. The mayor shall call on each councilmember present to ask questions from their prepared list of the candidate(s) of their choice. The same questions may or may not be asked of every candidate. Depending on the number of candidates to be interviewed and in the interest of completing the interview session(s) in a timely manner, the mayor may limit the number of questions asked by each councilmember. If the number of questions is to be limited, the mayor shall announce the number of questions each councilmember may ask prior to the commencement of the interviews.

Upon completing the interviews, each councilmember will announce their ranking of the candidates interviewed and the city clerk or designee shall tally the council rankings. The results of the rankings shall be provided to the council and shall be used by the mayor for consideration in the appointment process. At the mayor's discretion, the appointment process may take place at a regularly scheduled council meeting or a special council meeting following the interview session.

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Nomination and confirmation process from the Lake Forest Park Commissioner's Manual<sup>27</sup>

Commissioners are nominated by the mayor and confirmed by the council. The mayor solicits people who are interested in serving from a number of sources, including the *Town Crier*, other commission members, and word of mouth. Generally, the mayor will

<sup>&</sup>lt;sup>26</sup>Section 20.8, *Edgewood Council Rules of Procedure* (Edgewood, WA: Amended October 10, 2006), 22-23.

<sup>&</sup>lt;sup>27</sup>Section I. (2.) – Lake Forest Park Commission System, *Lake Forest Park Commissioner's Manual* (Lake Forest Park, WA: 2001), 9.

request a resume or a letter of interest from an interested individual. Typically the mayor and the chair of the commission meet with a prospective commissioner.

The mayor may then proceed with a formal nomination. The letter or resume is included by the city clerk in the council packet and submitted to the city council.

Confirmation Process. The council must confirm the appointments, with the exception of civil service commissioners. The city council interviews the candidate. These interviews usually take place at a council workshop, which is less formal than a regular council meeting. Nominees should be prepared to answer questions from the councilmembers. In the past, councilmembers have been interested in why the nominee wants to serve, as well as his or her interest and/or experience with the issues addressed by the commission. The council members may ask any questions they wish. The nomination process is continued to the next council meeting for final action.

\* \* \* \* \* \* \*

Appointment criteria and interview process from Vancouver Policies and Procedures 100-06, 4-07

4.3 <u>Initial Appointment Criteria</u> – It shall be the policy of the city council to evaluate each applicant for appointment on an objective basis, utilizing the following criteria:

<u>Residency</u> – Appointments to certain boards and commissions must, by state law or local ordinance, be limited to residents of the City of Vancouver. It is preferable that all appointments be filled by city residents. However, persons living outside the City of Vancouver may be considered and appointed to positions not legally restricted to city residents when determined appropriate by the council. City employees will not be appointed to city boards and commissions. <u>Contributive Potential</u> – City council shall evaluate the potential contribution that each applicant may make if appointed to a board or commission. Factors to guide council in its evaluation of this could include:

- a) Desire to perform public service.
- b) Ability to express ideas, concepts or philosophies.
- c) Experience in the community on other boards and committees.
- d) Special knowledge important to a particular board or commission.

<u>Time Available to Serve</u> – City council will need to be assured that the candidate will be available to serve at the scheduled meetings.

<u>Sectional Composition</u> – Maintaining geographic balance of community representation is recognized as a desirable goal in the appointment of boards and commissions when applicable.

#### 4.6 Interview and Selection

<u>Council Interview Period</u> – All candidates will be interviewed by council committee unless an exceptionally large number of applications are received and the committee decides, after screening the applications, to

interview a smaller number of applicants. If insufficient applications are received, the committee may decide to re-advertise.

After each applicant or member has been interviewed, the committee shall forward a recommendation to the full council for consideration.

#### Policies on the Method of Appointment and Notification

Some local government legislative bodies make board appointments by passing resolutions, while others pass motions. Candidates should be notified in writing of their appointments. Applicants that were not chosen should also receive written notification. Those not chosen should be encouraged to volunteer for other opportunities. The ongoing interest and participation of a qualified candidate can easily be lost with a poorly worded rejection letter, particularly if appointments appear politicized.

Policies on the methods of appointment are illustrated here.

#### **Douglas County**

- A. The board of county commissioners shall appoint by resolution to those boards, councils and committees required by statute from the list of applications after publication of position open notice.
- B. The board of county commissioners shall appoint by resolution to those boards, councils, and committees not required by statute from a list of individuals who have indicated by letters of interest the willingness to serve. (Douglas County Code, Section 2.48.010 Board of County Commissioners Appointment Authority)

Lake Forest Park – After confirmation, the city clerk's office sends a letter to the individual notifying him/ her of the appointment. *Note: confirmation is by motion of the council. (Lake Forest Park Commissioner's Manual, Nomination Process)* 

**Vancouver** – Each applicant shall be notified by mail of the decision of the council. The chairperson of the advisory board, committee, or commission concerned with the council decision shall also be advised. *Note: appointments made by motion of council.* (Section 4.6 Interview and Selection – Decision and Announcement, *Vancouver Policies and Procedures No. 100-06*, 4-07)

**Whatcom County** – The names of recommended appointees by the executive, and the names of nominees by council members, shall be published on the agenda for the council meeting at which action is to be taken in filling a position or confirming an appointment. *Note: appointments are made by motion*. (Whatcom County Code, Section 2.03.075 – Review of Nominees and Executive Appointees)

#### Policies on Temporary Appointments

Occasionally there may be a need to make a temporary appointment to a board. Provisions for temporary appointments follow:

**Bellevue** – Whenever for any reason there is or will be a vacancy in the office of member of a board, commission or committee of the city, the mayor, upon the confirmation by a majority of the council, may appoint a person to act as a temporary member of the board, commission, or committee to serve until a person is appointed to fulfill the term of office for which the vacancy exists. (Bellevue Municipal Code, Section 3.48.010 –Temporary Appointments)

**Oak Harbor** – (1) The mayor shall have authority to appoint one or more alternates or temporary members to any of the boards, commissions, and committees of the city to serve in the absence of any regular member who is absent from such board, commission, or committee or for other reasons is unable to attend or when a vacancy on the board has occurred; provided, that when an alternate or temporary member is scheduled to serve for more than six months, and the ordinance establishing such board requires council approval of mayoral nominations that the appointment will be submitted to council for approval at least within two months after appointment. If approval is not given, the alternate or temporary appointment shall not continue as a member except to complete any quasijudicial hearings he or she is participating in. In no event may a term for an alternate be longer than three years. (2) The power of appointment under this section shall apply to planning commission, board of adjustment, board of appeals, civil service commission, personnel advisory board, library board, community police advisory board, marina committee and any other board, commission, or committee of the city except committees made up exclusively of councilmembers. (Oak Harbor Municipal Code, Section 2.65.010 – Temporary Board and Commission Members)

#### Policies Regarding Service on More Than One Board

Generally citizens are appointed to only serve on one board at a time. In special circumstances, the local governing board may want the flexibility to deviate from the general rule. Examples are provided from the cities of Edgewood, Lynnwood, and Tacoma.

**Edgewood** – It is the intent of the council that advisory body members not serve on more than one board, commission, committee, or task force at any time in order to provide opportunities for diverse citizen input. However, there may be extenuating circumstances, such as the specialized expertise that a citizen may bring to more than one advisory body, or lack of other qualified applicants, that will justify multiple advisory body membership. (*Edgewood Council Procedures*, Section 20.9)

**Lynnwood** – No person shall be nominated or confirmed to a position on more than one advisory body at a time. This prohibition does not apply to multiple appointments created by specifying certain "representative" memberships, expressly created by the city council, or as required by state law. (Lynnwood Municipal Code, Section 2.24.070 – Multiple Appointment Prohibited.)

**Tacoma** – Simultaneous Appointments: It is the policy of the council to appoint citizens to no more than one committee, board, or commission except for specialized committees or task forces of limited duration. (Appointments to Citizen Committees, Boards and Commissions – Policies, *City of Tacoma Orientation Handbook for Citizen Committees, Boards, Commissions and Public Development Authorities*, 2008)

#### Policies on Terms of Office and Reappointment

Most local governments set the term of office for their advisory board positions. However, few appear to set limits on the number of terms a board member may serve. A jurisdiction may set a limit on the number of terms that can be served for some boards, but not others. Unless there is a specific limit that relates to the board in question, it can be assumed that there is no limit to the number of terms that may be served. A general limit may be imposed, but it would have to be clear that it is meant to apply to all boards.

The most common limit is two terms. More years of service are allowed if there is a break between terms or special circumstances. The length of the term for each type of board varies from two to six years. The following examples show the variation in policies.

Lake Forest Park – An individual may be re-appointed to a commission. The re-appointment process is the same as the appointment process. The nominations must come before the city council for confirmation. Commissioners may serve for two consecutive three-year terms on the same commission. However, they may be appointed to serve on the same commission after a one-year break in service. (Section 1(2) – Terms, *City of Lake Forest Park Commissioner's Manual, 2001*)

**Olympia** – (A.) The term of office for committee positions shall be three (3) years, and such terms shall commence on April 1. (B.) The terms shall be staggered so that as near as possible one-third of each committee's membership shall expire each year. (C.) There is no limit on the number of terms to which an individual may be appointed. (Olympia Municipal Code, Section 02.100.050 – Term of Office)

**Pierce County** – A term of office for any board or commission shall not be longer than four years. Members of boards and commissions shall be limited to two consecutive full terms. (Pierce County Charter, Section 3.30)

**Tacoma** – All appointments are made for specified terms. In the event a replacement is not appointed before a member's term expires, the current committee member shall be allowed to serve until a replacement is found. (Appointments to Citizen Committees, Boards and Commissions – Policies – Terms, *City of Tacoma Orientation Handbook for Citizen Committees, Boards, Commissions and Public Development Authorities*, 2008)

**Snohomish County** – Boards and Commissions – The term of office of any board or commission member shall not be longer than four years. Members of boards and commissions shall be limited to three, consecutive full terms. (Snohomish County Charter, Section 9.60 – Term of Office)

**Walla Walla** – The terms of the members of the advisory commissions created in Section 2.25.010A shall be for three years. Unless otherwise provided, all members of the advisory commissions shall be appointed by the mayor with the consent of the council. No person shall serve more than two consecutive terms on any one commission unless the council makes a finding that special expertise is required or there are no other qualified applicants. (Walla Walla Municipal Code, Section 2.25.020 – Terms and Appointment)

### Getting the Board Organized

#### Orientation

It is important that board members understand the context in which the board operates, including legal requirements. One approach is to provide an orientation session, similar to what is provided for newlyelected officials. Edgewood provides in its *Council Rules of Procedure*, that "Newly appointed members will receive a briefing by the board, commission, committee or task force chairperson and/or city staff regarding duties and responsibilities of the members of the advisory body. Each newly appointed member will receive an information packet which will include a certificate of appointment signed by the mayor, a board, commission, committee or task force membership list, contact information of the responsible city staff member, statement of purpose for the advisory body which may include an ordinance, resolution, work plan, operating policy or bylaws." (*City of Edgewood Council Rules of Procedure*, Section 20.11, Amended October 10, 2006)

Several jurisdictions have created handbooks for their board members that provide introductory information about the jurisdiction, context for advisory boards, procedural information, and expected conduct. Examples of orientation manuals or handbooks for new board members may be viewed on MRSC's Boards and Commissions Web page: http://www.mrsc.org/Subjects/Governance/boards.aspx.

#### Bylaws and Rules of Procedure for Conducting Meetings

Some enabling provisions are generic and only specify that the advisory bodies will be responsible for adopting operating policies and/or bylaws consistent with the establishing ordinance or resolution. Others may specify how the board is to be organized and require the adoption of *Roberts Rules*. Parliamentary procedure provides the process for proposing, amending, approving and defeating legislative motions. Some jurisdictions require that parliamentary rules of procedure be followed by all their advisory boards. The adoption and use of rules of procedure can make advisory board meetings more efficient. As a practical matter, many governing bodies have adopted *Robert's Rules*. Some prefer to operate less formally, and use *Roberts Rules* only when their own rules do not address a particular procedural matter or when there is a controversy. Sample provisions adopting rules of procedure for conducting meetings appear below.

**Lynnwood** – The advisory body shall adopt rules of procedure. The advisory body shall provide for the taking of minutes and maintaining the records of all regular and special meetings. (Lynnwood Municipal Code Section 2.24.100 – Procedures, Records and Minutes.)

**Olympia** – The general government committee of the city council shall establish rules of procedure and bylaws for committees. (Olympia Municipal Code, Section 02.100.070 – Rules of Procedure and Bylaws)

**Renton** – The proceedings of all boards and commissions shall be governed by the most current edition of *Robert's Rules of Order*. (Renton Municipal Code, Section 2-18-5 – Rules of Order)

#### Internal Organization of Advisory Boards

Generally, boards will designate a chairperson to run meetings, set agendas, and provide general leadership. In some jurisdictions, advisory boards elect their own officers, but in others, the board chair or officers are appointed. State statutes designate the chair for a few boards.<sup>28</sup>

Lake Forest Park – In April, each commission nominates a commissioner to be appointed by the mayor as chair. The chair serves for one year and may be reappointed twice for up to a total of three consecutive years. The chair is responsible for developing agendas, running the meeting, and providing leadership to the commission. The mayor reports annually to the city council on the appointments of the chairs by May 17th. The members of the commission elect their own vice-chair. (Section I. (5) Role of the Chair – Selection of Chair, *City of Lake Forest Park Commissioner's Manual*, Spring 2001)

**Lynnwood** – Each advisory body shall elect from its membership a presiding officer who shall be referred to as chairman, chairwoman, or chairperson, as determined appropriate by the advisory body, and such officer shall serve for one year. The advisory body may elect other officers as it deems necessary and such offices shall be set forth in the rules of procedure adopted by the advisory body. (Lynnwood Municipal Code, Section 2.24.040 Officers – Identification and Election)

A majority of the appointed members of the advisory body shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition. Expressions of an advisory body's position, recommendation or request for any action shall be in the form of a resolution setting forth the reasons, facts, policies, and/or findings of the body supporting the resolution and shall be directed to the city council and mayor. (Lynnwood Municipal Code, Section 2.24.050 – Quorums, Transacting Business and Resolutions)

#### Providing a Work Plan for Advisory Boards

Advisory boards are often created when the governing body perceives a need to have citizen input. A *scope of work* should be set out so that the board members can work toward the mission or goal set for the board. Sample provisions follow:

**Lynnwood** – Each advisory body shall develop a scope of work, within the jurisdiction and area of responsibility of each advisory body that may, as the advisory body determines necessary and appropriate, include the following:

1. Annually review its portion(s) of the comprehensive plan or departmental multi-year plan(s), and suggest desired amendments thereto.

2. Annually review its portion of the city budget and suggest desired amendments, as relates to comprehensive plan, capital facilities plan, and policy matters.

3. Participate in the preparation of the advisory body's annual report showing achievement towards fulfilling goals, policies, and objectives of the advisory body.

- 4. Present major policy advisories to the city council.
- 5. Meet with city council and other boards.

6. Examine and respond to referrals from the city council, mayor, or staff, including public meetings or formal hearings. (Lynnwood Municipal Code, Section -2.24.020(C) – Scope of work.)

<sup>&</sup>lt;sup>28</sup>Chair persons designated by statute: Firemen''s Relief and Pension Act, RCW 41.16.020 and RCW 41.18.015; Lodging Tax Advisory Committee, RCW 67.28.1817.

**Mercer Island** – Annually, staff shall develop a draft work program for each board and commission based upon the city council's annual work plan. Staff will present the draft work program to each board and commission for input and revision. All board and commission work programs will then be presented to the city council for review, possible amendments, and approval. Boards and commissions shall not direct city staff to perform research, gather information, or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the city council or city manager. Copies of board and commission agendas will be included in city council regular meeting packets. (*City of Mercer Island City Council Rules of Procedures*, Section 8.14, last amended 6/19/06)

**Olympia** – Each committee, except the design review board, shall present an annual work plan to the city council for approval in a format and within parameters determined by the city council's general government committee. Substantive changes to the work plan after approval by the city council shall be submitted to the general government committee for consideration and recommendation to the full council. (Olympia Municipal Code, Section 02.100.080 – Annual Work Plan)

#### Attendance Requirements

It should be emphasized that being on a board or commission may require a significant personal commitment. When circumstances change and board members are unable to attend meetings, they should consider resigning. However, there are cases when a member means well, but just doesn't make it to meetings. To insure a quorum, provisions need to be in place to cover chronic absenteeism. Policies on absenteeism vary considerably as seen in the following examples:

**Bainbridge Island** – When any member of any commission or board of the city misses two consecutive meetings of the commission or board, or more than 25 percent of the regular meetings of the commission or board during any calendar year without the permission of the mayor of the city, then in such event the mayor of the city shall have the authority to dismiss the member from the board or commission without stating any cause for the dismissal, except as otherwise provided by law. For the purposes hereof, the terms "commission" or "board" shall mean any board, commission or committee comprised of citizens appointed to said board, commission or committee and established to advise the mayor and/or the city council. (Bainbridge Island Municipal Code, Section 2.30.010 – Attendance Failure – Member Dismissal)

**Kent** – At any meeting of the board, the board may recommend to the mayor removal of any member who misses three (3) consecutive meetings without being excused by the board upon an affirmative vote of a majority of the board. To fill unexpired terms, replacement appointments will be made as necessary by the mayor and confirmed by the city council. Appointments made to fill vacancies will be made to fill the portion of the unexpired term. (Kent Municipal Code, Section 2.56.080 – Diversity Board – Attendance and Vacancies.)

**Kirkland** – A commissioner will be expected to attend no less than eighty percent of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the parking advisory board, the board shall consider recommending removal of that member. The parking advisory board shall report to the city council about a member's pattern of absence, together with the board's recommendation concerning removal. A member may be removed by a majority of the city council. A member finding himself/herself unable to attend regular meetings is expected to tender his/her resignation. A resignation will be effective on such date as designated by the resigning board member. (Kirkland Municipal Code, Section 3.40.030 – Parking Advisory Board) *Note: Similar language is used in provisions for the planning commission and park board*.

Lake Forest Park – If a commissioner misses the majority of the meetings in any two six-month periods during the term of office, the mayor may assume the position is vacant and appoint someone to the position. In April and October, the mayor will get a report on attendance from the city clerk. If a member is absent 50 percent of the time in a six-month period, the mayor will contact the commissioner to discuss his or her participation. If in an additional six-month period, the commissioner is again absent for more than 50 percent of the meetings, the mayor may assume the position is vacant and fill the position.

It is the intent of the mayor to be in contact with commissioners absent from a significant number of meetings to discuss their participation. The city understands the need to balance the family and work obligations with the needs of the commission. The mayor will take into consideration if a commissioner has occasional family obligations, is required to travel because of their work, or is ill.

Absences may be excused if the commission chair is notified in advance and the commission members vote to excuse the member. The ordinance requires the mayor to monitor attendance whether it is excused or not.

Generally the commissions meet once or twice a month. Attendance must be taken at each meeting. The clerk of the commission will make sure the city clerk has the attendance lists. The city clerk will make the attendance records available to the mayor twice a year. (Section II(6) – The Keys to Being an Effective Commission Member – Attendance, *City of Lake Forest Park Commissioner's Manual*, Spring 2001)

#### Setting Out Reporting Requirements

Provisions for periodic reporting of boards and commissions to the governing body provide a tool for oversight and policy evaluation, and can be used to enhance communications with constituents. The frequency and type of reports vary, as shown in the illustrations below.

**Des Moines** provides that an appointive committee make an annual written report to the council of its transactions and expenditures for the preceding year and general any recommendations by March 1st. (Des Moines Municipal Code, Section 4.24.130 – Reports)

**King County** requires the executive to prepare an annual status report to the council regarding boards and commissions which includes, at a minimum, an inventory of boards and commissions; a description of activities; a list of members; a list showing the terms of office, including the terms to expire during the following year; and the department or agency providing staff support, including a contact address and phone number. (King County Code, Section 2.28.020 – Annual Executive Report Required)

**Lakewood** provides for annual reports of progress to the city council by certain boards. Additional reports may be requested by the city council. The planning advisory board must annually provide a report on progress made in implementing the goals and requirements of state law and on the status of land use policies and procedures within the city. (Lakewood Municipal Code, Chapter 2 contains provisions for various boards and commissions)

**Lake Forest Park** provides that the chairs of the commissions meet with the mayor quarterly to share major issues with the other commissions and to provide an opportunity for joint planning. Deadlines for reporting are also provided. (Section I. (5.) Role of the Chair – Quarterly Meetings with the Mayor, *City of Lake Forest Park Commissioner's Manual*, Spring 2001)

# Provisions for Review and Evaluation of Advisory Boards

It is important to periodically review whether the advisory body is effective and is still needed. The two provisions below are examples of jurisdictions that provide for periodic review and evaluation of advisory boards.

**Seattle** – The function and activities of each city advisory board, commission, or similar body as shall have been or may hereafter be established by ordinance or resolution shall be reviewed every two (2) years for the purpose of determining whether the purpose for which such board, commission, or similar body was established is being fulfilled, and whether a need for such board, commission, or similar body still exists. (Seattle Municipal Code, Section 3.98.010 – Biennial Review of Boards and Commissions – Purpose of Review)

**Snohomish County** – Special purpose bodies known as *ad hoc* or advisory committees are subject to the following:

Purpose and length. At the time of their creation, *ad hoc* or advisory committees shall be charged by the executive and/or council with a written mandate including specific purpose(s) and desired product(s). In addition, timing provisions including an automatic date of disbanding, shall be set by the creating authority. Such dates may be altered by council resolution.
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(2) Yearly review. Coincident with the budget proposal, the executive shall submit to the council each year a summary of the activities of all *ad hoc* or advisory committees, together with an analysis and recommendations on their future operation. (Snohomish County Code, Section 2.03.090 - Ad hoc or Advisory Committees)

# Requirements for Open Meetings, Minutes, and Other Records

### **Open Public Meetings**

The Open Public Meetings Act, Ch. 42.30 RCW declares that all meetings of the governing body of a public agency shall be open and public. Most boards and commissions created by statute are subject to the Open Meetings Act.

Committees established by the governing body are required to comply with the provisions of the Open Public Meetings Act when they act on behalf of the governing body by exercising actual or *de facto* decision-making powers. The difficulty is determining whether the deliberations of an advisory body are subject to the act. Responding to a question about city council committees, the Washington State Attorney General noted in AGO 1986 No. 16 that the fact that the city council almost always follows the advice and recommendations of its council committees does not require the conclusion that the committee is *acting on behalf of* the council. A committee acts on behalf of the governing body when it exercises actual or *de facto* decision-making authority for the body. This is in contrast to the situation where the committee simply provides advice or information to the governing body. In the opinion of the Washington state attorney general's office, such advisory committees do not act on behalf of the governing body and are therefore not subject to the Open Public Meetings Act.<sup>29</sup>

Many counties and cities have a general statement saying that all advisory boards, committee, and commission meetings are open to the public. To avoid having to analyze each body, the most judicious procedure may be to make all the meetings of all advisory bodies open and public, unless an executive session is permitted by law. Several illustrations have been included.

**Lynnwood** – Each advisory body shall hold regular meetings at such times and places as is deemed advisable but shall hold not less than six meetings each calendar year. All meetings shall be open to the public and be held on not less than 72 hours' notice to members. (Lynnwood Municipal Code, Section 2.24.110 – Meetings)

**Normandy Park** – All commission meetings shall be open to the public, and notice of the meetings shall comply with the Washington Open Public Meetings Act and documents will be deemed subject to Ch. 42.17 RCW *[now recodified as chapter 42.56 RCW]*. The commission shall hold regular meetings at least quarterly. The commission shall keep minutes of its regular public meetings, and records of all official actions shall be made available to the public upon approval of the minutes by the commission. (Normandy Park Municipal Code, Section 2.26.02 (5) – Arts Commission Meetings)

**Renton** - (D) Except as otherwise stated in state law, all meetings of boards, commissions, and committees are open public meetings. (E) All boards, commissions, and committees shall establish regular dates and times for meetings, and shall consult with the city clerk about scheduling special

<sup>&</sup>lt;sup>29</sup>See also, "Who is Subject to the Act?" in *The Open Public Meetings Act: How it Applies to Washington, Cities, Counties, and Special Districts*, Report No. 60 (Seattle: Municipal Research and Services Center, May 2008).

meetings and announcing meeting cancellations. (Renton Municipal Code, Section 18-2 -18-4 – Reporting and Minutes)

**San Juan County** – The board of county commissioners recognizes that it is an agency subject to the Open Public Meetings Act of the State of Washington, as are all subagencies of San Juan County created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, fair and park boards, and other county commissions and agencies. (San Juan County Code, Section 2.10.020 – Policy on Open Government)

**Tacoma** – City committees, boards, commissions, and task forces are subject to the provisions of the Open Meeting Act. (Tacoma Resolution No. 32408)

### Public Records Requirements

The Washington State Public Records Act applies to "any office, department, division, bureau, board, commission, or agency of every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or other local public agency."<sup>30</sup>

Generally, provisions governing advisory bodies specify that minutes be kept of meetings and that there be periodic reporting. The recorded activities of the advisory body, such as meeting minutes, reports, and correspondence, are public records. For information on public records disclosure, consult the Municipal Research and Services Center's publication, *Public Records Act for Washington* Cities *and Counties*, Report No. 61, 2007.

There is a general local government records retention schedule, adopted by the Washington State Archives and Records Management Division, for advisory councils, commissions, committees, and boards. It covers agenda packets and all referenced and attached documents; audio/video tape recordings of meetings; correspondence; minutes including all referenced and attached documents; and reports submitted to governing council, commission, committee, board, or executive.<sup>31</sup>

Three provisions have been excerpted as examples from general provisions for advisory bodies:

**Lynnwood** – The advisory body shall provide for the taking of minutes and maintaining the records of all regular and special meetings. (Lynnwood Municipal Code, Section 2.24.100 – Procedures, Records and Minutes)

**Renton** – All boards, commissions, and committees shall take formal minutes of their meetings and shall appoint a member to take such minutes, or such minute responsibility may be delegated to a staff support person if there is a staff support person assigned to the board, commission, or committee on a permanent basis, who is always in attendance at such meetings. A copy of all minutes shall be filed with the city clerk as the official record. Any rules and regulations adopted by any board, commission, or committee shall be filed with the city clerk. (Renton Municipal Code, Section 18-2 – 18-4 – Reporting and Minutes)

**Bonney Lake** – The mayor and staff shall ensure that the council is provided with, in a timely manner, copies of all agendas and minutes for all statutory boards, agencies, and citizen advisory

<sup>&</sup>lt;sup>30</sup>RCW 42.17.020(2) – Definitions and WAC 44-14-01001 Scope of coverage of Public Records Act.

<sup>&</sup>lt;sup>31</sup>Local government Agencies of Washington State Records Management Guidelines and General Records Retention Schedules, Approved by Washington State Local Records Committee (Olympia, WA: Office of the Secretary of State, Division of Archives and Records Management).

bodies. The mayor and staff shall ensure that copies of all council agendas and minutes shall be provided to each board, agency, and commission by the staff in a timely manner.

All recommendations and final reports to the council from all boards, agencies, commissions, and citizen advisory committees shall be made in person at a regular council meeting by the chair or a duly designated representative of each board, commission, or committee, which designee may include the appropriate department head or assigned staff liaison. A copy of the written report or recommendation shall be submitted to the city clerk or deputy city clerk by the agenda cut off time, prior to the scheduled meeting, as established in these policies to allow the council sufficient time to review. (Bonney Lake Municipal Code, Section 2.04.1040 – Board, Agency, Commission and Committee Minutes and Recommendations)

# Application of Appearance of Fairness

The appearance of fairness is a rule of law that requires government decision-makers to conduct noncourt hearings and proceedings in a way that is fair and unbiased in both appearance and fact. It was developed as a method of assuring that due process protections, which normally apply in courtroom settings, extend to certain types of administrative decision-making hearings, such as rezones of specific property. The doctrine attempts to bolster public confidence in fair and unbiased decision-making by making certain that in both appearance and fact parties to an argument receive equal treatment. For further reading on appearance of fairness see the Municipal Research and Services Center's publication, *The Appearance of Fairness Doctrine in Washington State, Report No. 32, January 1995.* 

Some jurisdictions have included appearance of fairness provisions in their guides for boards and commissions. Examples are polices from the cities of Tacoma and Des Moines.

**Tacoma** – It is the policy of the city council to avoid conflicts of interests and to act both fairly and with an appearance of fairness with respect to committee appointments and actions. Applicants for committees, boards, authorities and commissions will be required to complete a supplemental questionnaire to determine if a potential conflict of interests exists.

No person shall be appointed to any committee, board, or commission that recommends that the city fund any organization of which that person is an interested party. An interested party is defined as a person who has, or expects to have, any pecuniary interest in the recipient organization, whether such interest is by position of agent, employee, director, owner, officer, or otherwise, and whether such pecuniary interest be direct or indirect. A director, officer, or member of an organization shall not be disqualified from serving on such committee, board, or commission when there is no financial benefit or expectancy of same to that person or his/her immediate family from affiliation with such organization. In addition, if any member of a committee, board, authority, or commission that recommends city funds for an organization is or becomes such interested party of that particular organization, he or she shall immediately resign. Also, if a member of any committee, board, authority, or commission has any other affiliation with an agency which is requesting funding, the member shall disclose the affiliation, shall not vote on the matter, and shall not attempt to influence any other member of the committee, board, or commission to make a recommendation to the city council.

Finally, if a member violates any of the aforementioned policies regarding appearance of fairness and conflict of interests, the city council may review and take action including, but not limited to, voiding any contract, rescinding funding and/or removing any member of a committee, board, authority, or commission from their appointed position. (*City of Tacoma Orientation Handbook for Citizen Committees, Boards, Commissions, and Public Development Authorities* – Appearance of Fairness and Conflict of Interests)

**Des Moines** – If a member of an appointive committee concludes that he/she has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the appointive

committee so that he/she cannot discharge his/her duties on such an appointive committee, he/she shall disqualify himself/herself from participating in the deliberations and the decision-making process with respect to the matter. (Des Moines Municipal Code, Section 4.24.060 – Conflicts of Interest)

# Application of Ethics Codes to Advisory Boards

Most local governments appear to cover all elected officials, appointed officials, and employees in their ethics codes, but there are variations. Some jurisdictions have separate ethics codes for employees, and may include volunteer advisory board members among them. Some ethics codes provide that they apply to city officials, but *city official* is not defined. Ethics code provisions should make it clear who is covered by the code. The examples provided below avoid ambiguity. Ethics codes are often prefaced with a short statement of purpose. The illustrations chosen include a statement as to who is covered by the code of ethics. The first example is a simple statement of purposes. The second is part of a preamble to the code. The third example combines a preamble with a statement of purpose. The last example is in the form of a policy statement.

**Shoreline** – The purpose of a code of ethics is to strengthen the quality of government through ethical principles which shall govern the conduct of the elected and appointed officials and employees. (Shoreline Resolution No. 30, Exhibit A)

**Snoqualmie** – The proper operation of democratic representative government requires that elected and appointed public officers and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. Accordingly, it is the purpose of this chapter to establish ethical standards of conduct for all officers and employees of the city, whether elected or appointed, paid or unpaid; to set forth those acts that are incompatible with such standards; to require disclosure by such officers and employees of private financial or other interests in matters affecting the city; and to provide effective means for enforcement thereof. (Snoqualmie Municipal Code, Section 2.80.010 – Purpose).

**Clallam County** – The board of county commissioners finds and declares that public office is a public trust; that the proper operation of this trust requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. Accordingly, it is the purpose of this chapter to establish ethical standards of conduct for all officials and employees of the county, paid or unpaid; to set forth those acts that are incompatible with such standards; to require disclosure of private financial or other interests in matters affecting the county or affected by county action; and to provide effective means for enforcement thereof. (Clallam County Code, Section 3.01.010 - Ethics – Purpose)

**Tacoma** – It is the policy of the city to uphold, promote, and demand the highest standards of ethics from all of its employees and officials, whether elected, appointed, or hired. City officers and employees shall maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants including the appearance of impropriety; and never use their city position or powers for improper personal gain. In construing this chapter, city officials should be guided by common sense and

practicality. This code of ethics is supplemental to state law, RCW 42.23, as now or hereafter amended. (Tacoma Municipal Code, Section 1.46.010 – Code of Ethics – Purpose)

Generally advisory board members are included in the application of a local government's ethics code, but not all are as well defined as the examples above. If coverage is not clearly defined in a general statement, then there should be a set of definitions that clarifies coverage. If the term *public official* or *public officer* is used, it too should be defined along with what is considered an *advisory body*.

# Compensation of Advisory Board Members

The general practice is that members of voluntary advisory boards do not receive compensation, though some expenses may be reimbursed. It would be possible to establish an advisory board and pay compensation to the members unless specifically prohibited by statute.<sup>32</sup>

<sup>&</sup>lt;sup>32</sup>RCW 35.63.030 prohibits compensation to planning commission members in second class cities and towns.

# Summary

Citizen advisory boards perform a critical role by advising the policy-making body on important and complex issues. They are a structured way for individual citizens to share their opinions and perspectives, and to formulate recommendations in a focused, small group format. The series of topics covered in this publication illustrate practices that may assist in creating an efficient and effective advisory board system.

Though they are considered a traditional approach to citizen engagement, citizen advisory boards serve an increasingly vital role in most local governments. Boards can represent the demographic profile of a community and provide a voice for many interests. They remain the primary process for involving residents in the democratic decision-making process. Democracy can only be realized when individuals come together across neighborhood and economic lines to assist in making the community decisions that shape all our lives.

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# Appendices

Appendix 1 - Statutorily Authorized, Mandatory and Discretionary Boards and Commissions 1
Appendix 2 - Sample Application forms for Citizen Volunteer Boards
Appendix 3 - Sample Policies and Procedures for Boards and Commissions

Appendix 1						
	List of Local Government Advisory Boards and Commissions					
			Full Description and Requirements			
Board or Commission	RCW Citation	Conditions	Number of Commissioners/Boards; Qualifications			
	List of City	/ Town Statutorily F	Required Boards Under Certain Conditions			
Building Code Board of Appeals	RCW 19.27.031; ICC Building Code	All cities, towns, counties	The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. <i>International Building Code, 2006 ed. Section 112 Board of Appeals</i>			
Civil Service for City Firemen	Ch. 41.08 RCW	Fire department with full paid fire fighters	Three persons; US citizen, resident for 3 years; and elector. RCW 41.08.030.			
Civil Service for City Police	Ch. 41.12 RCW	Police department with three or more full-time officers	Three persons; US citizen, resident for 3 years; and elector. RCW 41.12.030			
Firemen's Relief and Pensions 1947 Act	Ch. 41.16	A municipal firefighters' pension board is created in each city and town	Five members, ex officio, the mayor, or in 1st class city, the mayor or elected official representative, who shall be chairperson of the board, the city comptroller or clerk, finance chairperson of the city council, or city treasurer, and two regularly employed or retired firefighters elected by secret ballot. <i>RCW 41.16.020</i>			
LEOFF Disability Board	Ch 41.26	Each city of 20,000 pop. or more shall establish a disability board. If less than 20,000 pop., county disability board is used	Five members: Two members from legislative body appointed by the mayor; one active or retired fire fighter elected by the fire fighters; one active or retired law enforcement officer elected by the law enforcement officers; and one member from the public at large residing in the city appointed by the other four members. <i>RCW 41.26.110 (1)(a)</i>			
Library Board of Trustees	RCW 27.12.190	Cities, towns, counties with libraries	Five trustees appointed by the mayor with the consent of the legislative body. RCW 27.12.190			
Local Emergency Management/Services Organization	RCW 38.52.070 Ch.118-30 WAC	Each county, city or town	Each political subdivision must establish a local emergency management organization by ordinance or resolution. Two or more political subdivisions may join together. <i>WAC 118-30-040</i>			

Board or Commission	<b>RCW Citation</b>	Conditions	Number of Commissioners/Boards; Qualifications				
L	List of City/Town Statutorily Required Boards Under Certain Conditions, continued						
Lodging Tax Advisory Committee	RCW 67.28.1817	Any city or town with pop of 5000 or more that has imposed the hotel/motel (lodging) tax	Five members appointed by the legislative body, unless a charter provides differently: (a) At least two representatives of businesses required to collect tax (b) at least two members involved in activities authorized to be funded by revenue received. The number of representatives of businesses shall equal the number of members involved in funded activities. One member shall be an elected official who is chair. An advisory committee for a city or town may include one nonvoting member who is an elected official of the county in which the city or town is located.				
Local Improvement - Board of Equalization – Filling Lowlands	RCW 35.56.080	First and second class cities	Number not specified. The city council or commission will sit as a board of equalization to equalize said roll and to hear, consider and determine protests and objections against the same.				
Planning Commissions	Ch. 35.63 RCW Ch.35A.63 RCW	Mandatory when planning under Growth Management	Number not specified; not more than one-third of may be ex officio members <i>RCW 35.63.030</i> . In code cities, a "planning agency" can be a person, body, or organization designated by the city legislative authority. <i>RCW 35A.63.020, RCW 35A.63.010(8)</i>				
Volunteer Fire fighter and Reserve Officers Board of Trustees – Fire Fighter Board of Trustees	Ch. 41.24 RCW RCW 41.24.060	Every municipal corporation maintaining an organized fire department	The mayor, city clerk or comptroller, and one councilmember, the chief of the fire department, and one member of the fire department to be elected by the members of such fire department. Where a municipality is governed by a board, the chair, one member of the board, and the secretary or clerk thereof shall serve as members of the fire fighter board of trustees in lieu of the mayor, clerk or comptroller, and councilmember. <i>RCW 41.24.060</i>				
Volunteer Fire fighter and Reserve Officers Board of Trustees – Reserve Officers Board of Trustees	Ch. 41.24 RCW 41.24.460 (2)	If relief provisions extended to reserve officers	Five members: (a) mayor, if one exists, and one member of the legislative authority, or two members of the legislative authority, if no mayor, or their designees; (b) the clerk, comptroller, or chief fiscal officer; (c) the head of the law enforcement agency; and (d) one reserve officer who is elected by reserve officers. <i>RCW</i> 41.24.460 (2)				

Board or Commission	RCW Citation	Conditions	Number of Commissioners/Boards; Qualifications
	L	ist of City/Town Op	otional Boards and Commissions
Airport Board, Airport Commission	Ch. 14.08 RCW RCW 14.08.120	Any county, city, town, airport district, or port district	Authority can be vested by ordinance or resolution that prescribes the powers and duties of the officer, board, or bodyand the municipality may also vest authority for industrial and commercial development in a municipal airport commission consisting of at least five resident taxpayers to be appointed by the governing board of the municipality by an ordinance or resolution. <i>RCW 14.08.120</i>
Board of Adjustment	RCW 35.63.080 RCW 35A.63.110	A city council may appoint a board of adjustment	Number not specified
Cemetery Board or Commission	RCW 68.52.045 Ch. 35A.68 RCW	Any city or town; or code city	Number not specified. The legislative body may provide by ordinance for a cemetery board to be appointed by the mayor, or the city commission, or by the city manager <i>RCW 68.52.045</i>
Community Renewal Agency	RCW 35.81.050	City, town, county	Five members: municipal officials and elected officials, selected by the mayor, with approval of the local governing body of the municipality, otherwise city legislative authority exercises powers. <i>RCW</i> 35.81.050
Community Municipal Corporation	Ch. 35.14 RCW RCW 35.14.020	When territory is annexed by a city or town, or cities are consolidated	Community council composed of five members; qualified electors.
Off Street Parking Commission	Chapter 35.86A RCW	First and second class cities; by ordinance	Five members appointed by the mayor, confirmed by the city council; One member selected from persons actively engaged in the private parking industry, if available <i>RCW 35.86A.050</i>
Park commissioners	RCW 35.23.170	Councils of second class cities and towns may provide by ordinance	Not to exceed seven in number, appointed by the mayor, with the consent of the city council, from citizens of recognized fitness for such position
Parking and Business Improvement Area	RCW 35.87A.110	Cities and towns	The legislative body may appoint existing advisory boards or commissions to make recommendations as to its use, or the legislative authority may create a new advisory board or commission for the purpose. Number not specified.

Board or Commission	RCW Citation	Conditions	Number of Commissioners/Boards; Qualifications
	List of	City/Town Optiona	Boards and Commissions, continued
Publicity Board	RCW 35.23.480	2nd class cities	Three members nominated by a commercial organization in city, then appointed by the mayor, confirmed by at least a two-thirds vote of the city council; must be resident property owners and voters in the city
Salary Commission	RCW 35.21.015	All cities and towns	Number not specified; appointed by mayor confirmed by council. May not include any officer, official, or employee of city or town or any immediate family member. Established by charter or ordinance. <i>RCW</i> 35.21.015
Tourist Promotion Areas	RCW 35.101.130	County greater than 40,000 but less than one million, or any city or town within the county	Legislative authority may appoint existing advisory boards or commissions to make recommendations as to its use, or the legislative authority may create a new advisory board or commission for the [that] purpose. If no board or commission appointed, city or town legislative authority has sole discretion as to how to use revenue.
Youth Agencies	RCW 35.21.630	Any city, town or county can contract to establish joint agency	Not specified. Purpose is to investigate, advise and act on, within the powers of that municipality, problems relating to the youth of that community town, or county
List	of County Statu	torily Required Boa	ards and Commission Under Certain Circumstances
<b>Board of Adjustment</b> (Alternate is Hearing Examiner System RCW 36.70.970)	RCW 36.70.200 RCW 36.200.210	If planning agency created, a board of adjustment shall also be created by ordinance	Five or seven members as may be provided by ordinance. <i>RCW 36.70.210</i>
Building Code Board of Appeals	RCW 19.27.031; International Building Code, 2006 ed.	All cities, towns, counties	The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. <i>International Building Code, 2006 ed. Section 112 - Board Of Appeals</i>
Civil Service for Sheriff's Office	Ch 41.14 RCW RCW 41.14.030	County or counties combined pursuant to RCW 41.14.040	Three persons; appointed by the board or boards of commissioners. Must be U.S. citizen, resident of the county, or counties for at least two years immediately preceding his appointment, and an elector of the county wherein he resides. <i>RCW 41.14.030</i>

Board or Commission	RCW Citation	Conditions	Number of Commissioners/Boards; Qualifications
List of Cou	nty Statutorily	Required Boards a	nd Commission Under Certain Circumstances, Continued
Community Councils - San Juan County	Ch 36.105 RCW RCW 36.105.040	Unincorporated areas in counties over 30,000, made up entirely of islands;	Five, seven, nine, or eleven members. RCW 36.105.040
Community Renewal Agency	RCW 35.81.050	City, town, county	Alternative 2(a), board or commission composed of not less than five members, which shall include municipal officials and elected officials, selected by the mayor, with approval of the local governing body of the municipality; otherwise county legislative authority exercises powers. <i>RCW 35.81.050</i>
County Board of Equalization	Ch. 84.48 RCW	Each county	Three to seven members including alternates; appointed by a majority of the county legislative authority, selection based upon the qualifications established by the department of revenue, and shall not be a holder of any elective office nor be an employee of any elected official: The county legislative authority may itself constitute the board at its discretion.
Hospital Board of Trustees	Ch. 36.62 RCW RCW 36.62.110	Any county, city and county, or two or more counties	Thirteen trustees appointed by county legislative authority, together with the additional trustees required by RCW 36.62.130, if any, shall constitute a board of trustees for such hospital. <i>RCW 36.62.110</i>
LEOFF Disability Board	Ch. 41.26 RCW RCW 41.26.110	Each county shall establish a disability board	Five members: one member of legislative body appointed by the body; one member of a city or town legislative body chosen by a majority of the mayors; one active or retired fire fighter elected by the fire fighters; one (active) or retired law enforcement officer elected by the law enforcement officers; and one member from the public at large, appointed by the other four. In counties less than 60,000, the member appointed by a majority of the mayors of the cities and towns does not have to be a legislative body member, but must be a resident of one of the cities and towns. <i>RCW 41.26.110(b)</i>
Library Board of Trustees	RCW 27.12.190	Cities, towns, and counties with libraries	In counties, five trustees shall be appointed by the board of county commissioners. RCW 27.12.190
Local Emergency Management/Services Organization	RCW 38.52.070 Ch.118-30 WAC	Each county, city or town	Each political subdivision must establish a local emergency management organization by ordinance or resolution. Two or more political subdivisions may join together. WAC 118-30-040

Board or Commission	RCW Citation	Conditions	Number of Commissioners/Boards; Qualifications
List of Cou	nty Statutorily	Required Boards a	nd Commission Under Certain Circumstances, Continued
Lodging Tax Advisory Committee	RCW 67.28.1817	Any county, city or town that has imposed the hotel/motel (lodging) tax and is 5000 or more population.	At least five members appointed by the legislative body, unless a charter provides differently: (a) At least two representatives of businesses required to collect tax (b) at least two members involved in activities authorized to be funded by revenue received. The number of representatives of businesses shall equal the number of members involved to be funded. One member shall be an elected official who shall serve as chair. An advisory committee for a county may include one nonvoting member who is an elected official of a city or town is located
Planning Commission	RCW 36.70.030 RCW 36.70.070	Board of county commissioners may create a planning commission. (Alternate is the creation of a planning department	Five, seven, or nine members as may be provided by ordinance: Departments of a county may be represented on the commission by the head of such departments, who shall serve in an ex officio capacity, but such ex officio members shall not exceed one of a five-member commission, two of a seven-member commission, or three of a nine-member commission. At no time shall there be more than three ex officio members serving on a commission: PROVIDED FURTHER, That in lieu of one ex officio member, only, one employee of the county other than a department head may be appointed to serve as a member of the commission. <i>RCW 36.70.070</i>
Planning Commission to Assist Planning Department	RCW 36.70.040	Alternate to RCW 36.70.030. Planning department and planning commission	Number not specified. By ordinance a board of commissioners may, as an alternative to and in lieu of the creation of a planning commission as provided in RCW 36.70.030, create a planning departmentand shall also create a planning commission to assist the department in carrying out its duties.
Veterans' Advisory Boards	Ch 70.08 RCW	Each county must establish a veterans' advisory board. RCW 73.08.035	The county legislative authority must solicit representatives from either local branches of nationally recognized veterans' service organizations or the veterans' community at large, or both, to serve on the board. No fewer than a majority of the board members shall be members from nationally recognized veterans' service organizations and only veterans are eligible to serve as board members. <i>RCW</i> 73.08.035(2)
Volunteer Fire fighter and Reserve Officers Board of Trustees – Reserve Officers Board of Trustees	Ch. 41.24 RCW 41.24.460 (1)	If relief provisions extended to reserve officers	Five members: (a) Two members of the county legislative authority and the county auditor, or their designees; (b) the sheriff; and (c) one reserve officer who is elected by reserve officers of the county for an annual one-year term <i>RCW</i> 41.24.460 (1)

Board or Commission	RCW Citation	Conditions	Number of Commissioners/Boards; Qualifications
		List of County Opti	ional Boards and Commissions
Citizen's Commission on Salaries for Elected Officials	RCW 36.17.024	Any county	Ten commissioners; 6 appointed by auditor from registered voters. In noncharter counties, 2 selected from each district; remaining 4 members have specific requirements and selection procedures by county executive or commissioners. Created by resolution or ordinance.
County Park and Recreation Board	Ch. 36.68 RCW RCW 36.68.030	Each county	Each county may form a county park and recreation board composed of seven members, who shall be appointed by the board of county commissioners to serve without compensation. RCW 36.68.030
Tourist Promotion Areas	RCW 35.101.010(2) RCW 35.101.130	Any county with a pop. greater than 40,000 but less than one million, or of any city or town within such a county	Number not specified. Legislative authority has sole discretion to determine how revenue will be used to promote tourism, but it may appoint existing advisory boards or commissions to make recommendations as to its use, or the legislative authority may create a new advisory board or commission for the [that] purpose.
Youth Agencies	RCW 35.21.630	Any city, town, or county; can contract to establish joint agency	Not specified Purpose is to investigate, advise and act on, within the powers of that municipality, problems relating to the youth of that community town, or county

Board or Commission	RCW Citation	Conditions	Number of Commissioners/Boards; Qualifications			
List of Special District Boards						
Firemen's Relief and Pensions – 1955 Act – Firemen's Pension Board	Ch. 41.18 RCW	VEach fire protection district that qualifiesFive members: chairman of the district fire commissioners who will be cha board, county auditor, county treasurer, and two firefighters elected by sec <i>RCW 41.18.15 RCW</i>				
Volunteer Fire fighter and Reserve Officers Board of Trustees – Fire Fighter Board of Trustees	Ch. 41.24 RCW RCW 41.24.060	Every municipal corporation maintaining an organized fire department	The mayor, city clerk or comptroller, and one councilmember, the chief of the fire department, and one member of the fire department to be elected by the members of such fire department. Where a municipality is governed by a board, the chair, one member of the board, and the secretary or clerk thereof shall serve as members of the fire fighter board of trustees in lieu of the mayor, clerk or comptroller, and councilmember. <i>RCW 41.24.060</i>			
Volunteer Fire fighter and Reserve Officers Board of Trustees - Emergency Medical Districts Board of Trustees	Ch. 41.24 RCW RCW 41.24.330	Any emergency medical service district or other special district, authorized by law to protect life or property within its boundaries through a fire department, emergency workers, or reserve officers not covered by LEOFF	Emergency Medical Districts Board of Trustees - Two members of county legislative authority or designees, county auditor or designee, head of emergency medical district, and one emergency medical worker to be elected by emergency medical workers of the district. <i>RCW 41.24.330</i>			
Volunteer Fire fighter and Reserve Officers Board of Trustees – Reserve Officers Board of Trustees	Ch. 41.24 RCW 41.24.460 (2)	If relief provisions extended to reserve officers (see above)	Five members: (a) The mayor, if one exists for the municipality, and one member of the municipality's legislative authority, or two members of the municipality's legislative authority if a mayor does not exist for the municipality, or their designees; (b) the clerk, comptroller, or chief fiscal officer of the municipality; (c) the head of the law enforcement agency; and (d) one reserve officer who is elected by reserve officers of the municipality for an annual term of one year. <i>RCW</i> 41.24.460 (2)			

Appendix 2						
	CITY	OF	SN(	Dł	HOM	ISH
		Four	nded 1859, Inc	orpora	ted 1890	
	116 UNION AVENUE	SNOHOMISH, V	VASHINGTON 9	8290	TEL (360) 568-3115	FAX (360) 568-1375

### APPLICATION FOR OPEN CITY BOARD OR COMMISSION POSITION

plication for:			_ Board/Commission
Name:			
Address:			
Phone:	Home:		Cell:
	D		
City Resident?	Yes	No	_ How Long?
(or) UGA Resident?	Yes	No	_ How Long?
Please list any p	previous City	appointments or offices	
Other communi	ty affiliations	or activities you feel wo	uld be a benefit to this position:
		g schedule for this Board scheduled meetings?	or Commission, and are you
Aware of sched	ule?: Yes	_ No Can attend	?: Yes No Unsure
Why are you in	terested in ser	eving on this City Board	or Commission?

Board and Commission Vacancy Application

#### Snohomish

- 10. What talents or experience would you bring to the position?
- 11. What are your primary interests in City Government and City services?
- 12. Please relate any special goals you may have for the City
- 13. Any other comments or information you wish to provide for Mayor and Council consideration:

Signature	Date

#### Thank you for your interest in serving as a volunteer Board or Commission member.

Appointments to City Council advisory Boards and Commissions are nominated by the Mayor and confirmed by consent of the full City Council. If you are applying for a specific and currently open position, you will be notified by the Mayor following the application deadline whether you are being nominated.

If you are submitting an application to be considered in the future as openings occur, you will be contacted by City staff when the vacancy is announced in order to confirm your interest in this specific opportunity.

Board and Commission Position Vacancy Application

Appendix Local Government Citizen Advisory Boards 10

# Appendix 2



### Application Form COMMITTEES/BOARDS/COMMISSIONS/AUTHORITIES

Return completed form to: Office of the Mayor, 747 Market Street, Room 1200, Tacoma, WA 98402-3766. NOTE: All information on this form becomes public information, with the exception of the residential address and telephone numbers, when submitted to the Appointments Committee.

I am interested in serving on the			
Name	Phone	(Home)	
Home address	Business address		
Please ind	licate preferred mailing address w	vith an asterisk (*)	
Are you a City of Tacoma resident?	If y	res, how long?	
Occupation			
Occupation(If retired, please indicate former occupation Education	on or profession)		
Professional activities that relate to this position			
·			
Community activities that relate to this position			
List any experience that would assist you in serving of	on this committee/board/commiss	ion/authority	

### COMMITTEES/BOARDS/COMMISSIONS/AUTHORITIES

The City Council wants to avoid any potential conflict of interest or questions about the appearance of fairness in appointing citizens to commissions, boards and committees. Therefore, we ask you to respond fully to the following:

Please list each organization with which you are involved, its mission and your position.

Board	Organization	Mission	Position

Do you or any of your family members work for or serve on the board of directors of any organization which has contracted with or applied for funding from the City of Tacoma? Do you anticipate any future involvement of this kind in the future? If yes, please describe the relationship.

Are you related to any elected City official or staff member? If yes, please explain.

# COMMITTEES/BOARDS/COMMISSIONS/AUTHORITIES

Are you involved in any personal, professional or business pursuit that would affect your ability to make fair and impartial recommendations/decisions as a member of a City citizen advisory committee?

Why are you interested in serving on this committee/board/commission/authority?

Additional information/references \_\_\_\_\_

How did you find out about the vacancy on this committee/board/commission/authority?\_\_\_\_\_

It is the policy of the City of Tacoma to achieve a cultural and ethnic diversity on Committees/Boards/Commissions. Information in this section will assist in achieving this goal, and is voluntary on your part.

African American

Asian Hispanic

White

Native American

Other

## Appendix 2



<u>City of Tukwila</u>
APPLICATION FOR APPOINTMENT

Type or print clearly and return completed form to: Office of the Mayor; 6200 Southcenter Blvd; Tukwila WA 98188

I wish to be considered for appointment to the following board or commission:

" Arts Commission	" Lodging Tax Advisory Committee	" Park Commission		
" Equity and Diversity Commission	" Human Services Board	" Planning Commission		
<sup>"</sup> Civil Service Commission	" Library Advisory Board	" Sister City Committee		
" Community-Oriented Policing Citizens	Advisory Board (COPCAB)	" Other:		
Name:		Date:		
Address:		Zip Code:		
Phone, Day: Night:		Email:		
Please check all that apply to you within the Tukwila City limits:		" Resident		
" School District Representative	" Business Owner/Manager	" High School Student		
Available to attend meetings:	" Evenings " Daytime			
Present employer/occupation (if retired, plea	ase indicate former occupation):			
	Phone:			
Occupational history/background:				
Professional/community activities (orgs., ch				
Hobbies/interests:				
Qualifications related to this position:				
If you have previously served on one of the above boards/commissions, please provide details:				
Describe why you are interested in serving on this board/commission/committee:				
Signature:		Date:		
~~ <u>~</u>				

<u>Note</u>: Upon submission, all information on this form becomes public record. For further clarification regarding this application or more information regarding the boards or commissions, please call the Mayor's office at 206-433-1850.

#### Appendix 3

# Excerpt from: Bothell *City Council Protocol Manual*, Section 2.8, Bothell, WA, March 2007

#### 2.08 Advisory Bodies

#### A. Appointments Made by the Council

Boards, commissions and citizen committees provide a great deal of assistance to the Bothell City Council when formulating public policy and transforming policy decisions into action. The City has several standing boards and commissions. In addition, special purpose committees and task forces are often appointed by the City Council to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad hoc committees will be dissolved upon completion of the intended task.

The procedures established in this manual reflect the policy of the City Council regarding the appointment of volunteer citizens to the various advisory bodies of the City. The establishment of these procedures ensures that well-qualified, responsible, and willing citizens are given the opportunity to serve the City and participate in the governing of their community.

The City Council is specifically empowered to create all advisory boards and commissions pursuant to the provisions of Chapter 35A (Optional Municipal Code), or such advisory boards or commissions not specifically enumerated, as the Council deems necessary or advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly and equitably evaluate those citizens of the community who demonstrate desire to serve on such boards or commissions.

- 1. For full-term vacancies, the following filing period is established: first Wednesday of January through second full week of February. The City Clerk will:
  - a. Publicly announce the position vacancy and filing period by publication of it in the official newspaper of the City of Bothell.
  - b. Post notices of the position vacancy and filing period in the three public places established in Section 8.02(B) of this manual.
  - c. Notify by mail all residents of the community not currently a member of an advisory board or commission who have indicated interest in serving on a City board or commission.
  - d. Notify by mail the Chairpersons of advisory boards and commissions of the vacancy.
  - e. Notify by mail the incumbents of advisory boards and commissions whose terms are expiring of such term expiration and inviting incumbent to consider reapplying.
- 2. For partial-term vacancies, a minimum 30-day filing period applies, with dates to be determined by the City Clerk. Partial-term vacancies will be filled as outlined in Section 2.08(A)(1a-d), above.

#### B. Qualifications, Terms of Service, Forms

Persons wishing to be considered for appointment or reappointment will submit to the City Clerk's Office an application on a form provided by that office. The Council will review applications and

make appointments.

Inasmuch as the qualifications and terms of service for each advisory body set forth in the Bothell Municipal Code may differ from each other, a membership and qualification matrix is appended to this document for Council reference. It is the policy of the City Council to evaluate each applicant on an objective basis, utilizing the following criteria:

- 1. <u>Residency</u> Residency requirements for advisory boards and commissions are noted in applicable sections of the Bothell Municipal Code, and summarized on the Membership and Qualification Matrix appended hereto.
- 2. <u>Sectional Composition</u> Normally, consideration should be given toward maintaining an equitable balance of community representation on all boards and commissions.

The City Council will not appoint multiple members from the same family or household to a single board or commission, in order to avoid the reality or appearance of improper influence or favor.

The City Council will not appoint members of Council Members' families or households to boards or commissions to avoid the appearance of favor and to increase community representation.

- 3. <u>Occupation</u> The Council will attempt to maintain a broad mix of occupational backgrounds on all boards and commissions.
- 4. <u>Knowledge of Municipal and Planning Process</u> When ranking equally qualified applicants, the Council will consider background experience and knowledge of the municipal process as appropriate to the position, in reaching its decisions.
- 5. <u>Contributive Potential</u> The Council will evaluate the potential contribution that each applicant may make if appointed to a board or commission. Criteria to guide the Council in its evaluation may include:
  - a. Ability to communicate
  - b. Desire to perform public service
  - c. Ability to express ideas, concepts, or philosophies
  - d. Desire to participate in decision-making process
- 6 <u>Leadership Potential</u> Since each appointee may be called upon to serve as a Chair, the Council will evaluate leadership abilities, such as:
  - a. Past or present leadership experience (current employment, special interests, etc.)
  - b. Past or present participation in community services
  - c. Expressed interest in a leadership role
- 7 The City Council will not appoint persons to serve as members of more than one board or commission at the same time; however, persons serving on a board or commission who have requested appointment to another board or commission position may be appointed to such position if they, concurrent with the appointment, resign from the board or commission position they are holding at the time of the new appointment.

#### C. Reappointment Criteria

At such time as reappointment is considered, the Council will be guided by the following performance criteria:

- 1. Regularity of Attendance
- 2. Understanding of board or commission function Demonstrated leadership
- 3. Effectiveness
- 4. Demonstrated contribution during past term of office on issues, programs, policies, etc., of the advisory board or commission
- 5. Objectivity

#### D. Council Action

1. <u>Council Interview Period</u> - It shall be the privilege of the Council to personally interview each applicant individually, at a time and place to be designated by the Council.

However, the Council reserves the right to make appointments after reviewing applications and without conducting interviews. Prior to making selections pursuant to subsection 2 below, the Council further reserves the right to reduce the number of applicants by using a procedure chosen by a majority of Council without conducting interviews.

2. <u>Council Evaluation & Selection</u> - After each applicant or member is evaluated, the Council will deliberate and reach a decision at its earliest convenience, using the following procedure.

Council Members will cast their votes using a written ballot to be provided by the City Clerk's Office. Each ballot will contain an alphabetical-by-last-name list of all applicants (primary and alternate interest) for that particular advisory body, and Council Members will cast the same number of votes as there are vacancies.

For example, a ballot for the Parks & Recreation Board contains the names of all nine of the applicants who expressed either primary or alternate interest in serving on the Parks & Recreation Board. If there are only four vacancies on the Parks & Recreation Board, each Council Member would cast four votes on the Parks & Recreation Board ballot.

After all votes are cast, staff will collect the ballots, tally the votes, and assign position numbers to the applicants who receive a majority of votes of Council Members voting. Following this tallying, the results of the voting and position numbers will be announced to the Council for subsequent action to ratify the results of the voting.

All written ballots used to select board and commission members will be retained with the agenda packet for that Council meeting.

3. <u>Decision & Announcement</u> - Each applicant will be notified by mail of the decision of the Council. The City Clerk will also notify the Chair of the affected board or commission of its decision.

#### E. Resignations

In the interest of timely noticing of vacancies, and to minimize the impact of such vacancies on boards and commissions, the City Council delegates to the Mayor the authority to accept resignations. Following the Mayor's acceptance of the resignation, the City Clerk is authorized to advertise such vacancies according to the process set forth in Section 2.08(A).

#### F. Representation by Council Members

The City Council is often requested to appoint Council Members to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Membership appointment to these groups shall be made by consensus of the Council. If more than one Council Member desires to serve as a member of a particular outside group, the member for that group will be appointed by a majority vote of the Council.

Where applicable, Council will appoint an alternate to attend outside boards, councils, commissions, or committees, if the main delegate to such group is unable to attend a meeting of the group. If after hours, the main delegate will notify the alternate as soon as possible after the main delegate realizes they will be unable to attend an upcoming meeting of the outside group. If during regular business hours, the main delegate will notify the City Clerk. The City Clerk will immediately attempt to notify the alternate of the need for their attendance at the outside group meeting.

Council Members participating in policy discussions at regional meetings will represent the consensus of the Council, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the City. Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

#### G. Rules of Conduct

By accepting appointment to any City board or commission, members thereby agree to conduct themselves in accordance with the following rules of conduct.

- 1. All members of City boards and commissions will abide by all applicable state laws, City ordinances, and other doctrines relating to the conduct of board or commission members, including, but not limited to, the Appearance of Fairness Doctrine, conflict of interest statutes, and the State Open Public Meetings Act.
- 2. Members of City boards and commissions will not testify in their capacity as a board or commission member, before any other board, commission, administrative officer or agency of the federal government, the State of Washington, or of any county or other municipal corporation, including cities and towns, except as hereinafter provided. Exceptions to the policy set forth above shall be as follows:
  - a. If the member is testifying in such a capacity pursuant to a lawfully issued subpoena; or
  - b. In the event the board or commission has designated the member or members to act as a spokesperson for the board or commission to explain the majority vote and recommendation of that board or commission; or

c. In the event the City Council appoints the member or members to represent the City before another tribunal.

3 Notwithstanding the foregoing, nothing contained herein is intended to preclude a board or commission member from speaking as an individual citizen, so long as the following conditions are met:

- a. The individual clearly identifies that he/she is speaking only as an individual citizen and is not in any manner representing or speaking on behalf of the board or commission of which he/she is a member; and
- b. No board or commission member testifies orally or in writing as to any quasi-judicial matter being heard, or having the possibility of being heard, by the board or commission of which the person is a member.

#### H. Council Members' Role and Relationship with City Advisory Bodies

- 1. In accordance with the provisions of state law, Council Members shall not be appointed to City advisory bodies concurrent with their term of office as Council Member.
- 2. Unless specifically authorized by majority vote of a quorum of the Council, no Council Member shall be authorized to state or testify to the policy or position of the Council before any advisory board or commission of the City.
- 3. Limitations on the conduct of Council Members before the City's advisory boards and commissions should be voluntarily undertaken in order to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following protocol should be observed:
  - a. Council Members shall not testify in quasi-judicial matters pending before any advisory board or commission that will receive, or could potentially receive, future appeal or review before the City Council. Violation of this protocol may require the Council Member to disqualify him- or herself from participating in any appeal or review proceedings before the City Council.
  - b. Council Members, in their capacity as private citizens, should refrain from providing testimony in legislative or administrative matters pending before any advisory board that will receive, or could potentially receive, future review or other action before the Council. Where a Council Member elects to provide such testimony, the following rules shall apply:
    - (i) The Council Member shall declare at the outset and upon the record that the Council Member is present in his or her private capacity as an interested citizen, and not on behalf or at the request of the City Council.

(ii) The Council Member shall refrain from stating or implying that the Council Member's position or opinion is that of the City Council.

(iii) The Council Member shall refrain from directing City staff or the advisory body to take any action on behalf of the Council Member.

(iv) The Council Member shall observe any rules of procedure or protocol that apply to any other private citizen testifying before the advisory board.

### Appendix 3

# Excerpt from: City of Port Townsend *Council Rules of Procedure*, Article 4, Port Townsend, WA, Revised March 4, 2002

#### **ARTICLE 4 - COMMITTEES, BOARDS, WORK GROUPS & COMMISSIONS**

- **4.1 Committees.** The City of Port Townsend is a Council / Manager form of government which has adopted a committee structure applicable to the normal Council-Manager system. Port Townsend is consistently working to improve the way the public relates to the City Council and how the Council reaches out to and encourages citizen involvement. The procedures governing all committees of the Council, and all boards, liaisons, blue ribbon work groups and citizen's taskforce groups established by the Council or involving a Councilmember, shall be as follows:
  - (a) All standing committees shall be established or provided by Council resolution.
     See Exhibit E for current standing committees. [Note: these committees are subject to change. No committees are required by state law.]
  - (b) All other Council committees, boards, liaisons, blue ribbon work groups and citizen's taskforce groups and rules or operating procedures thereof shall be established by Council directive with special attention to RCW 35A.13.120, and rules provided in Section 4.2, and after consultation with the City Manager. Such committees shall be subject to periodic review so as to determine whether the committee and its function continues to be appropriate and necessary.
  - (c) Committees, boards, liaisons, work groups and citizen's taskforce groups shall make a recommendation, when appropriate, on proposed ordinances, resolutions and motions within their area of responsibility or interest, before action is taken by the Council. The appropriate spokesperson shall present the recommendation(s) which could lead to final action during the discussion of the business item on Council agenda.
  - (d) Appointments shall be made by the Presiding Officer subject to Council confirmation.

#### 4.2 General Rules Applicable to Citizen Advisory Boards

SECTION 4.2.1 Definitions

An "Advisory Board" means any Committee or Commission created by the City Council to give advice on subjects and perform such other functions as prescribed by the City Council. Advisory Board also includes task forces, informal committees, or working groups formed by City Council resolution for short periods of time or for specific tasks.

#### SECTION 4.2.2 Purpose and Application

The purpose of this section is to establish general provisions applicable to all Advisory Boards. The provisions of this resolution govern Advisory Boards unless otherwise specifically provided by ordinance, motion or resolution of the City Council, or as may be required by state law. In establishing an Advisory Board, the Council shall consider the following:

- 1. Scope of work, and clear task description
- 2. Term of board sunset provision
- 3. Membership, nomination and confirmation process, and residency or other special member requirements
- 4. Terms of office
- 5. Place of board within City or Council structure who does Board report to?
- 6. Council member liaison (if any)
- 7. Time frames for board action on tasks
- 8. Time frames for Council or Committee action; for example, periodic review or interim reports
- 9. Staffing (if any) for board, and which City Department bears any staffing responsibility or expense for Board
- 10. Any other matters appropriate to the Board's work

#### SECTION 4.2.3 Scope of Work

- A. Each Advisory Board, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the City Council to determine its effectiveness. This statement of purpose, as well as other information regarding duties and responsibilities, will be made available to all members when appointed.
- B. The City Council may determine any specific guidelines or tasks to be referred to the Advisory Board by motion or resolution.

C. Each Advisory Board shall develop a scope of work, within the jurisdiction and area of responsibility consistent with the City Council resolution forming the Board.

### SECTION 4.2.4 Membership, Nomination and Confirmation Process, and Residency Requirements

The number of members and any specific qualifications of each Advisory Board shall be set forth by resolution of the City Council.

Unless otherwise specifically provided by applicable resolution or motion, or as may be required by state law, the following procedures and requirements shall apply to all members of each Advisory Board:

A. Each person at the time of nomination and continuing uninterrupted thereafter while serving on an Advisory Board, shall be a resident of and/or work in the City of Port Townsend.

B. Each person to be appointed shall be nominated by the Mayor for a specific numbered position on each Advisory Board.

C. Each person shall be deemed appointed and shall commence service after confirmation by the City Council or on the effective date of the previous member's resignation, or on the expiration of the existing term for the position, as applicable.

D. Each confirmation motion by the Council shall include ending date and term for the position to which the person is appointed and such information shall be entered into the Council minutes.

E. At the expiration of a member's term, the member may hold over and continue to serve as a member until the member or a successor is appointed and confirmed by the Council.

### SECTION 4.2.5 Officers - Identification and Election

Each Advisory Board shall elect from its membership a presiding officer who shall be referred to as chairman, chairwoman, or chairperson, as determined appropriate by the Advisory Board, and such officer shall serve for one year, or until the Board discontinues its operation, whichever is shorter. The Advisory Board may elect other officers as it deems necessary and such officers shall be set forth in the rules of procedure adopted by the Advisory Board.

#### SECTION 4.2.6 Quorums, Transacting Business

A majority of the appointed members of the Advisory Committee shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition.

#### SECTION 4.2.7 Terms of Office and Vacancies

Appointments to boards shall be provided for in the resolution establishing or providing for a board. Vacancies shall be filled by the City Council, upon nomination from the Mayor, for the unexpired term in the same manner as the original appointment. Membership vacancies other than through expiration of term shall be filled for the unexpired term. Any member may be removed by Council action based on Council decision that removal is in the best interests of the City. Removal should not occur for disagreement with an official recommendation of the board or its members.

#### SECTION 4.2.8 Conflicts of Interest

If any members of an Advisory Board conclude that they have a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Advisory Board so that they cannot discharge their duties on such an Advisory Board, they shall disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter.

#### SECTION 4.2.9 Liaisons and Representatives

A City Council representative may be available to each Advisory Board for the purpose of providing a constructive relationship between the City Council and the Advisory Board without implying direction, review, or oversight of the activities of the Advisory Board.

#### SECTION 4.2.10 Procedures, Records, and Minutes

Rules of order not specified by statute, ordinance or Council resolution shall be governed by *The Scott, Foresman Robert's Rules of Order Newly Revised – 10th Edition* (published by Scott, Foresman and Company), as the same may be amended or updated. The Advisory Board may adopt supplemental rules of procedure. The Advisory Board shall provide for the taking of minutes and maintaining the records of all regular and special meetings. Any Advisory Board may establish standing or ad hoc committees comprised of Board members to assist in accomplishing its duties and responsibilities. Committee minutes shall be filed with the City Clerk's office within 10 days of approval.

#### SECTION 4.2.11 Meetings

Each Advisory Board shall hold regular public meetings at such times and places as is deemed advisable or as provided for in the resolution establishing the board. All meetings of the entire

body and of any subcommittee or task force of the Advisory Board shall be subject to all requirements of the Washington Open Public Meetings Act, and shall be open to the public, and shall be held at a public place at a regularly scheduled time, or at a special meeting time following notice as set by the City Manager. Notice of all meetings shall be provided to the Clerk's office for publication. No meeting shall be scheduled without at least 48 hours notice to the Clerk's office unless special arrangements are otherwise made with the City Clerk or City Manager.

**SECTION 4.2.12** Communications to City Council Expressions of an Advisory Board's position, recommendation or request for any action shall be in the form of a resolution, motion, or other written communication, setting forth the reasons, facts, policies, and/or findings of the body supporting the communication, and shall be directed to the City Council and Manager.

Communications from such boards, commissions and bodies to the City Council shall be acknowledged by the Presiding Officer, who shall state: "So noted for the record", and thereafter the City Clerk shall make an appropriate notation in the minutes. Should any member of the Council determine that any such communication be officially answered by the Council, the Presiding Officer shall place the matter on the agenda under New Business for the current meeting or any subsequent meeting.

# SECTION 4.2.13 Compensation and Reimbursement of Expenses

Members of Advisory Boards shall serve without compensation. Members shall be reimbursed for authorized travel expenses incidental to that service, which are authorized by the City Manager or by City Council resolution or motion. Members should seek pre-authorization for any proposed expense.

# SECTION 4.2.14 Lobbying Efforts

Lobbying efforts by any Advisory Board on legislative or political matters should first be checked for consistency with existing City policy by contacting the City Manager's office. In the event a position is taken that differs from that of the City's policy, an Advisory Board cannot represent that position publicly or before another body, for example, the State Legislature or the Board of County Commissioners. An Advisory Body is free to communicate positions to the Council or a Council Committee on matters pertaining to the Body's purpose and function. A member of the Advisory Board is not authorized to speak for the Board, unless the Board has expressly authorized the member's communication. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that the member is not speaking as a representative of the City, or as a member of an Advisory Board.

End of Article 4 - Committees, Boards, Work Groups & Commissions

# Appendix 3

# Excerpt from: Puyallup City *Council Rules of Procedure*, Section 8, Puyallup, WA, Amended August 2003

# SECTION 8 City Advisory Committees

8.1 Puyallup's commissions, committees and task forces provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Council members in the decision-making process. Effective citizen participation is an invaluable tool for local government. These advisory bodies originate from different sources. Some are established by ordinance while others are established by resolution or motion of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established, other than those required by State law.

Puyallup advisory bodies bring together citizen viewpoints which might not otherwise be heard, Persons of wide-ranging interests who want to participate in public service but not compete for public office can be involved in governmental commissions, committees and task forces.

The following policies govern the City's advisory groups; some of these advisory groups may have more specific guidelines set forth by ordinance or resolution, or at times by State law.

- 8.2 No committee board or commission shall have official or legal status until such committee or board or commission has first been approved by resolution or ordinance of the City Council.
- 8.3 Every advisory body will have a specific statement of purpose and function, which will be re-examined periodically by the City Council to determine its effectiveness. No board or committee shall have powers other than advisory to the City Council or City Manager except as specified by the Puyallup Municipal Code.
- 8.4 Any committee, board, or commission created by ordinance or resolution of the City Council, shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by majority vote of the Council.
- 8.5 An Appointments Committee composed of the newly elected Mayor and two members of Council shall be designated at the first regularly scheduled meeting in January following a City Council election. The term of service on the Appointments Committee shall be two years. Meetings of this Committee will be convened on an ad hoc, or as needed, basis.

The City Clerk shall inform the Appointments Committee of pending vacancies on boards and commissions and shall schedule meetings as necessary for the Committee to consider applications for appointment. Committee recommendations on appointments shall be submitted to the full Council for approval.

8.6 Vacancies for citizen boards and commissions shall be advertised in the City's official newspaper so that any interested citizen may submit an application. Applicants are urged

to be citizens of the City of Puyallup, but applications from residents living outside of the corporate boundaries also receive consideration under certain circumstances. Council members are encouraged to solicit applications from qualified citizens. Applications shall be available from the Office of the City Clerk.

- 8.7 Applications of citizens not recommended for appointment to an advisory body will be filed in the Office of the City Clerk for reconsideration whenever a position becomes available consistent with the applicant's qualifications or interests.
- 8.8 Lengths of terms vary from one advisory body to another, but in all cases overlapping terms intended, unless otherwise provided by State law. On special work task forces, where a specific project is the purpose, there need not be terms of office.
- 8.9 Newly-appointed members will receive a briefing by the commission, committee or task force chairperson and/or City staff; regarding duties and responsibilities of the members of the advisory body,
- 8.10 All advisory bodies will be responsible for adopting their operating policies consistent with the establishing resolution or ordinance.
- 8.11 All meetings of advisory bodies are open to the public in accordance with the public meeting laws of the State of Washington which require a minimum 24-hour advance notice; no advisory committee will schedule a meeting earlier than 7:00 a.m.
- 8.12 Excessive absenteeism, excluding illness or required travel, is cause for the removal of an advisory body member. Three consecutive absences will be considered resignation from the body unless prior to the third absence, the member has requested, and been granted, an excused absence. The advisory body granting the excused absence will determine the validity of the request.
- 8.13 Members may resign at any time their personal circumstances change to prevent effective service.
- 8.14 Members may be removed, from any advisory committee, prior to the expiration of their term of office, by a majority vote of the City Council.
- 8.15 A quorum for conducting business is a simple majority of the membership of the advisory body.
- 8.16 All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage.



# POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX Administrative/Council/City Manager				
Subject	Number 100-06	Rev.	Effective Date 4/16/07	Page 1 of 9	
City Council Advisory Committees	Supersedes 7/12/04	Prepa	red by:	Approved by:	

## 1.0 Purpose

The City of Vancouver's commissions, committees and task forces provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.

The City of Vancouver advisory bodies bring together citizen viewpoints, which might not otherwise be heard. Persons of wide-ranging interests who want to participate in public service but not compete for public office can be involved in governmental commissions, committees and task forces. These bodies also serve as a training ground or stepping-stone for qualified persons who are interested in seeking public office.

As the City of Vancouver advisory bodies have been formed since incorporation, the adoption of uniform rules of procedure is necessary to assure maximum productivity. The following policies govern the City's advisory groups; some of these advisory groups may have more specific guidelines set forth by ordinance or resolution, or at times by state law.

Vacancies are advertised so that any interested citizen may submit an application. Applicants are urged to be citizens of the City of Vancouver, but applications from residents living outside of the corporate boundaries also receive consideration under certain circumstances. Councilmembers are encouraged to solicit applications from qualified citizens. Applications are available from the City Manager's Office.

#### 2.0 Organizations Affected

All boards, commissions, and committees.

#### 3.0 <u>References</u>

Resolution No. M-1751, March 25, 1974 Resolution No. M-2386, February 2, 1984 Memorandum to Mayor and City Council, April 15, 1998 Resolution No. M-3179, June 15, 1999 Resolution No. M-3254, November 22, 1999 Resolution No. M-3298, July 3, 2000 Resolution No. M-3347, June 25, 2001 Resolution No. M-3460, July 12, 2004 Resolution No. M-3607, April 16, 2007

## 4.0 <u>Authority</u>

The City Council of the City of Vancouver is specifically empowered by state law, City Charter, and ordinance to fill by appointment all boards and commissions established by such state law, charter or ordinance, or such other advisory boards or commissions as the Council deems necessary or advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly select citizens of the community who desire to serve on boards or commissions. To this end, this policy has been created, and it shall remain in effect until such time as the City Council desires to amend or modify it in part or revoke it in whole.

#### 4.1 Length of Service for Boards and Commission Members

Appointees serving in a three- (3) year term may be reappointed twice for a maximum of three (3) terms.

Appointees serving in a four- (4), five- (5), or six- (6) year term may be reappointed once for a maximum of two (2) terms.

Appointees of less than two (2) years chosen to fill an unexpired term shall not be considered as a term in this criteria. Appointments over two (2) years shall be considered a full term.

If a candidate is selected to fill the remainder of an unexpired term of six (6) months or less, then their appointment shall be for the unexpired term plus the next full term.

Specific boards and commissions may have different term lengths and term limits that are exceptions to the general rule above.

#### 4.2 Established Terms

Aviation Advisory Committee	3
Building - Fire Codes Board of Appeals	6
Charter Review Committee Meets every	5 years
City/County Telecommunications Commission	3
Lodging Tax Advisory Committee	2
Civil Service Commission	6
Clark County Public Health Advisory Council	3
Clark County Mosquito Control District Board of Trustees	2
Clark County Public Facilities District Board	3
Clark Housing Review Board	4
City Center Redevelopment Authority (concurrent with DRA)	4
Cultural Commission (inactive)	3
Design Review Committee	4
Downtown Redevelopment Authority	4
Fort Vancouver Regional Library Board	. 7
Parking Advisory Committee	4
Parks and Recreation Commission	3
Planning Commission	4
Port of Portland Citizens Noise Advisory Committee	2 or 3
Private for Hire Transportation Commission	4
Public Facilities District Board	4
Salary Review Commission	4
Urban Forestry Commission	4
Vancouver Housing Authority Board (no limit on number of terms	s) 5

## 4.3 Initial Appointment Criteria

It shall be the policy of the City Council to evaluate each applicant for appointment on an objective basis, utilizing the following criteria:

**<u>Residency</u>** - Appointments to certain boards and commissions must, by state law or local ordinance, be limited to residents of the City of Vancouver. It is preferable that all appointments be filled by city residents. However, persons living outside the City of Vancouver may be considered and appointed to positions not legally restricted to city residents when determined appropriate by the Council. City employees will not be appointed to City boards and commissions.

<u>Contributive Potential</u> – City Council shall evaluate the potential contribution that each applicant may make appointed to a board or commission. Factors to guide Council in its evaluation of this could include:

- a) Desire to perform public service.
- b) Ability to express ideas, concepts or philosophies.

c) Experience in the community on other boards and committees.

d) Special knowledge important to a particular board or commission.

<u>Time Available to Serve</u> – City Council will need to be assured that the candidate will be available to serve at the scheduled meetings.

<u>Sectional Composition</u> - Maintaining geographic balance of community representation is recognized as a desirable goal in the appointment of boards and commissions when applicable.

### 4.4 <u>Reappointment</u>

Incumbents who wish to be reappointed and who are eligible for reappointment in accordance with the provisions of section 4.1 shall notify the Mayor's Office within 90 days prior to the expiration of their term. There is not a vested right to reappointment for any position. An incumbent seeking reappointment will be evaluated by the appropriate chair and City staff. The evaluation and their recommendation shall be given to the Council interview committee. This committee will also evaluate the candidate using the following performance criteria:

- a) Regularity of attendance. If the incumbent has less than 75% attendance, the position may be advertised.
- b) Understanding of committee or commission function.
- c) Effectiveness.
- d) Demonstrated contribution during past term of office on issues, programs, policies, etc., of the advisory board, committee or commission.
- e) Number of terms served.

The Council interview committee shall either conduct an interview of the incumbent and recommend reappointment by forwarding their recommendation to the full council for consideration, or decide to conduct an open recruiting process in accordance with section 4.5.

## 4.5 Announcement of Vacancy

At such time as a vacancy occurs that requires an open recruitment process in a city board, commission or committee, or 90 days prior to the expiration of a term of office, it shall be the policy of the City Council to:

May establish a 30-day filing period and publicly announce the position vacancy by advertising and other reasonable methods.

Subject to section 4.4, any interested resident of the community who is not at that time a member of that board or commission may submit an application and resume for consideration of appointment.

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### 4.6 Interview and Selection

<u>Council Interview Period</u> - All candidates will be interviewed by council committee unless an exceptionally large number of applications are received and the committee decides, after screening the applications, to interview a smaller number of applicants. If insufficient applications are received, the committee may decide to re-advertise.

After each applicant or member has been interviewed, the committee shall forward a recommendation to the full council for consideration.

<u>Decision and Announcement</u> - Each applicant shall be notified by mail of the decision of the Council. The chairperson of the advisory board, committee or commission concerned of the Council decision shall also be advised.

#### 4.7 <u>Records</u>

The Mayor's office shall maintain records of persons who have applied for a vacancy on a given board, commission or committee for one (1) year after each filing period. If another appointment shall become available within that year, all such applicants shall be notified thereof by mail so that such persons can file for such new appointment.

# 4.8 <u>Recognition</u>

The Mayor will send a certificate of appreciation and letter of thanks to each member of a board or commission upon the completion of a term.

#### 5.0 Definitions

## 5.1 Board

A semi-autonomous body established pursuant to federal or state statute or authority or city ordinance. Actions of a board are usually appealable to designated courts of law. Boards related to city affairs include, Building - Fire Codes Board of Appeals, Vancouver Public Facilities District Board, Vancouver Housing Authority Board, and Fort Vancouver Regional Library District Board, Clark County Mosquito Control District Board of Trustees, and Downtown Redevelopment Authority Board of Directors, and the City Center Redevelopment Authority Board of Directors.

#### 5.2 <u>Commission</u>

A body established by city ordinance to study and recommend action to the City Council. Authority of commissions is delegated from Council or, in the case of telecommunications and solid waste, in conjunction with the County Commissioners. With the exception of the Civil Service Commission, some actions of commissioners are appealed directly to City

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Council. Commissions established by city ordinances include: City/County Telecommunications Commission, Civil Service Commission, Cultural Commission, Parks and Recreation Commission, Planning Commission, Private For-Hire Transportation Commission, salary Review Commission, and Urban Forestry Commission.

## 5.3 <u>Committee</u>

A body appointed by Council with a specified task or function. Committee action ordinarily will be subjected to review and/or appeal to City Council or to a commission established by Council. City of Vancouver committees include the Aviation Advisory Committee, Charter Review Committee, Lodging Tax Advisory Committee, Parking Advisory Committee, Port of Portland Citizen Noise Advisory Committee, and the Design Review Committee.

#### 5.4 Ad Hoc Task Force

A body appointed by Council to study or work on a particular subject or problem. A task force will cease to exist upon completion of its charge as given by the Council. Examples of previously appointed task force bodies are the Water/Sewer Rate Task Force and the Cruising Task Force.

#### 6.0 <u>Formation and Dissolution of Committees</u>

#### 6.1 Establishment

These advisory bodies originate from different sources. Some are established by ordinance while others are established by motion of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance. See Section 4.2 for the current list of City Advisory Committees.

#### 6.2 <u>Statement of Purpose and Function</u>

Every advisory body, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by City Council to determine its effectiveness. This statement of purpose is made available to all citizen members when they are appointed.

## 6.3 <u>Size</u>

The size of each advisory group is determined by City Council and the size is related to its duties and responsibilities. Another determination to be made prior to formation is the cost impact for City staffing a proposed advisory body.

#### 6.4 **Dissolution**

City Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.

# 7.0 <u>Mayor Appoints Committee Members for Vancouver Housing Authority Board of</u> <u>Directors and Recommends Appointments to the Charter Review Committee, and the</u> <u>Private for-Hire Transportation Commission</u>

The Mayor shall review, interview and appoint members to the Vancouver Housing Authority Board of Directors (RCW 35.82.040); and, appoints members to the Charter Review Committee (City Charter 11.17) and the Private For-Hire Transportation Commission (VMC 5.76.210), subject to City Council confirmation

# 8.0 <u>Council Committee Recommends Members for all Boards and Commissions, Except</u> VHA Board of Directors and Charter Review Committee

The Mayor, with the concurrence of Council, shall appoint two committees consisting of three Councilmembers to review, interview and recommend appointments to all boards and commissions, except the VHA Board of Directors and Charter Review Committee. See Section 4.2, listing the current boards and commissions. The Council Committee assignments will be reviewed following the change of Councilmembers based on elections or appointments or at the beginning of the calendar year.

## 9.0 <u>Council Concerns about Recommendations</u>

Councilmembers should raise any concerns about any recommendation prior to the City Council meeting that is scheduled for the approval of the appointment.

#### 10.0 Appointment of Members

Appointees to advisory committees should serve on only one committee, unless qualified applicants cannot be identified.

Members of all advisory bodies are appointed by a majority vote of the Council during a regularly scheduled meeting.

#### 11.0 <u>Removal of Members</u>

Members may be removed from any advisory committee prior to the expiration of their term of office by a majority vote of the City Council.

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#### 12.0 Overlapping Terms Intended

Lengths of terms vary from one advisory body to another, but in all cases, overlapping terms are intended. On special work task forces, where a specific project is the purpose, there need not be terms of office.

#### 13.0 <u>Committee Operation</u>

City Council expects new members will be oriented to the roles and responsibilities of their appointment.

# 14.0 Yearly Meeting with City Council

Each Committee should make a report to City Council each year. This report need not be presented in person.

## 15.0 Lobbying Efforts Consistent with City Policy

Lobbying efforts by any advisory bodies on legislative or political matters should first be checked for consistency with existing City policy by contacting the City Manager's office. In the event a position is taken that differs from that of the City's policy, an advisory body acting as an official body of the City of Vancouver cannot represent that position before another body, i.e., the State Legislature or the Clark County Board of Commissioners. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that he or she is not speaking as a representative of the City of Vancouver, or as a member of his or her commission, committee or task force.

# 16.0 <u>City Advisory Committees Appointed by Council</u>

- Aviation Advisory Committee (VMC 10.05.020; Resolution M-545)
- Building-Fire Code Board of Appeals (VMC 17.08.040(C))
- City/County Telecommunications\_Commission (VMC 5.19.300(a))
- Lodging Tax Advisory Committee (RCW 67.28.1817)
- Civil Service Commission (VMC 2.57.010)
- Clark County Mosquito Control District Board of Trustees (RCW 17.28.110)
- Clark County Public Health Advisory Council (Clark County Resolution 2003)
- Clark County Public Facilities District (Clark County Code 2.19.010)
- Clark Housing Review Board
- City Center Redevelopment Authority (VMC 2.71.010)
- Cultural Commission (VMC 2.88.010(A) and 020(A)
- Design Review Committee (VMC 20.61.200)
- Downtown Area Development Authority (VMC 2.72.080)
- Downtown Redevelopment Authority (VMC 2.73.080)
- Fort Vancouver Regional Library Board of Trustees (RCW 27.12.190, Charter Section 8.05)
- PDX Citizen Noise Advisory Committee (Port of Portland Port Executive Director)

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- Parking Advisory Committee (VMC Section 2.62.020(a))
- Planning Commission (Vancouver City Charter 8.01 (authorization); VMC 18.04.010.)
- Private For-Hire Transportation Commission (VMC 5.76.205)
- Salary Review Commission (Vancouver City Charter Section 2.178)
- Urban Forestry Commission (VMC 12.02.030)
- Vancouver-Clark Parks and Recreation Advisory Commission (VMC 2.16.020-070, Vancouver City Charter Section 8.04)
- Vancouver Public Facilities District Board

Mayor's Appointments

- Vancouver Housing Authority Board (RCW 35.82.040; Charter Section 8.03, VHA Resolution #2477)
- Charter Review Committee (Charter Section 11.17)

# 17.0 Appendix

#### 17.1 Applications -- Appointment/Reappointment

G:\Council Policies

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