

**NORTH BEACH WATER DISTRICT
PACIFIC COUNTY, WASHINGTON**

RESOLUTION 26-2016

A RESOLUTION OF THE NORTH BEACH WATER DISTRICT OF PACIFIC COUNTY, WASHINGTON, ESTABLISHING RULES FOR THE CONDUCT OF ITS MEETINGS, PROCEEDINGS, AND BUSINESS.

WHEREAS, Board of Commissioners (Board) of the North Beach Water District (District) recognizes the benefits of efficient and organized management of meetings, proceedings and business: and

WHEREAS, The Board recognizes the importance of conducting its meetings, proceedings, and business in compliance with Chapter 42.30 RCW "Open Public Meetings Act" and Title 57 RCW Water-Sewer Districts".

NOW, THEREFORE, THE NORTH BEACH WATER DISTRICT BOARD OF COMMISSIONERS, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Resolution 01-2009, Establishing the place and time for meetings of the Board of Commissioners, is hereby repealed.

SECTION 2. Resolution 20-2012, Establishing the place and time for regular meetings of the Board of Commissioners, is hereby repealed, except that Resolution 01-2008 and Resolution 12-2011 continue and remain repealed.

SECTION 3. To establish the following rules for the conduct of its meetings, proceedings, and business.

RULE 1. MEETINGS.

A. Venue / Agenda:

i. Generally, all meetings shall be held at the District's Business Office located at 2212 272nd Street Ocean Park, Washington 98640. Meetings may be held at a different venue, inside or outside the boundaries of the District provided, all ratepayers are given written notice, via first class mail to the ratepayer's last known address, of the meeting not less than thirty (30) days prior to the date of the meeting. The notice shall include, at a minimum, the date, time, venue, and purpose of the meeting. (RCW 42.30.070)

ii. The regular meetings schedule shall be established annually by resolution of the Board. The annual schedule shall be approved at the October regular Board Meeting of the preceding year for

distribution to all ratepayers in the November billing. (RCW 42.30.070)

iii. The agenda for each regular meeting of the Board shall be posted on the District's website, not less than twenty-four hours in advance of the published start time of the regular meeting. (RCW 42.30.077)

iv. The President of the Board shall preside over all meetings of the Board. In his/her absence, the Secretary of the Board shall serve as the presiding officer.

B. Attendance / Decorum:

i. All meetings are open to the public and all persons shall be permitted to attend any meeting, except as otherwise provided in this policy. (RCW 42.30.030)

ii. The District asks members of the public to sign-in when attending meetings. The information is used for keeping minutes and providing follow-up information on discussions at meetings. However, members of the public are not required, as a condition of attendance at any meeting, to register their name or other information, complete a questionnaire, or otherwise fulfill any condition precedent to their attendance. (RCW 42.30.040)

iii. All persons attending meetings are expected to conduct themselves with proper decorum. In the event any meeting is interrupted by a group of groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting, the Board may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the Board. If the meeting is adjourned to another location, the Board may only vote on matters appearing on the agenda. Members of the press or other news media, except those participating in the disturbance, shall be allowed to attend any adjourned meeting pursuant to this section. The Board, by majority vote, may readmit an individual or individuals not responsible for disturbing the orderly conduct of the meeting. (RCW 42.30.050)

C. Public Comment

i. The Board encourages and welcomes public participation on matters related to the District's business. Any persons desiring to

speak to the Board during public comment on matters not on the agenda, or during the comment period for items on the agenda, is asked to identify themselves and provide their address to confirm they are a ratepayer

D. Special Meetings

i. A special meetings may be called at any time by the president of the Board or by majority of the Board by delivering a written notice by mail, by fax, or by electronic mail to each commissioner. Written notices shall be deemed waived in the following circumstances:

a. A commissioner submits, by mail, by fax, by electronic mail, or by telegram a written waiver of notice with the General Manager at or prior to the time the meeting convenes; or

b. A commissioner is actually present at the time the meeting convenes. (RCW 42.30.080)

ii. Notice of special meeting shall specify the time and place of the special meeting and the business to be transacted and be posted at least 24 hours prior to the time of meeting as specified in the notice in the following manner:

a. Delivered to the Chinook Observer for publication;

b. Posted on the District's website;

c. Prominently displayed at the main entrance of the District's Business Office. (RCW 42.30.080)

iii. The Board shall not vote on any matters at special meetings not included in the notice of special meeting.

iv. Notices of special meetings may be dispensed in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage. (RCW 42.30.080)

E. Adjournment:

i. The Board may adjourn or continue any regular, adjourned regular, special, or adjourned special meeting. When all Commissioners are absent from any regular or adjourned regular

meeting, the General Manager may declare the meeting adjourned. The Board or the General Manager shall cause a written notice of adjournment be given in the same manner as notice for special meetings. Additionally, whenever any meeting is adjourned a copy of the notice of adjournment shall be conspicuously posted immediately after the time of adjournment on or near the door of the place the meeting is adjourned. (RCW 42.30.090 & RCW 42.30.100)

F. Executive Session:

i. The Board may hold an executive session at any regular or special meeting to consider the following matters:

a. Matters affecting national security;

b. Selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;

c. Consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price;

d. Review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased cost;

e. Consider, in the case of an export trading company, financial and commercial information supplied by private persons to the export trading company;

f. Receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;

g. Evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

h. Evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;

i. To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. Potential litigation means matters protected by Washington's Rules of Professional Conduct (RPC) 1.6 or RCW 5.60.060(2) concerning:

- Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;

- Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

- Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency;

j. To consider proprietary or confidential nonpublished information related to the development, acquisition, or implementation of state purchased health care services as provided in RCW 41.05.026;

ii. Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer. (RCW 42.30.110)

G. Public Meeting Training:

i. Every Commissioner shall complete training on the requirements of the Open Public Meetings Act no later than 90 days after they assume their role as a Commissioner. Additionally, Commissioners

shall complete a training course on the Open Public Meetings Act at intervals no more than four years as long as the individual is an acting Commissioner. (RCW 42.30.205)

RULE 2. ORDER OF BUSINESS

The business of the Board, at its meetings, shall be conducted in accordance with the following order of business:

A. Regular Meeting:

- i.** Call to Order at 6:00 p.m. or shortly thereafter.
- ii.** Roll Call. (commissioners)
- iii.** Adopt Agenda (by motion and majority vote)
- iv.** Public Comment "Matters not on the Agenda" (Public comment will be limited to 20 minutes at the beginning of the meeting and will continue at the conclusion of the meeting, if necessary. Comments will be limited to 3 minutes each.)
- v.** Consent Calendar (The Consent Calendar consists of routine items submitted by the General Manager which will be approved by one motion and one vote unless removed for separate discussion. Routine items include approval of meeting minutes, receive and file reports, and approve expenses)
- vi.** Old Business (Pending issues or tabled Resolutions)
- vii.** New Business
- viii.** General Managers Report
- ix.** Executive Session (The presiding officer will, prior to dismissing attendees, the purpose of the Executive Session and the time when the executive session will be concluded.)
- x.** Report on Executive Session (Any Board action on Executive Session issues will be taken in open meeting)
- xi.** Board Member Comments (Commissioners may make comments on items not on the agenda or for the record)
- xii.** Future Agenda Items (Commissioners or staff may request items for future agendas)

xiii. Adjournment (Adjournment is 8:30 p.m. unless all agenda items have been completed at which time the presiding officer will declare the meeting adjourned. In the event agenda items are not complete by 8:30 p.m., all unfinished business shall be carried over to the next scheduled regular meeting unless, a motion to "Fix the Time to Adjourn" at a later time has been made, seconded, and receives a majority of the vote.)

B. Special Meeting

- i.** Call to Order (time optional)
- ii.** Roll Call
- iii.** (Commissioners)
- iv.** Adopt Agenda (by motion and majority vote)
- v.** Public Comment (Items not on the Agenda)
- vi.** Executive Session (if required) (The presiding officer will, prior to dismissing attendees, the purpose of the Executive Session and the time when the executive session will be concluded.)
- vii.** Report on Executive Session (Any Board action on Executive Session issues will be taken in open meeting)
- viii.** Matters related to the special meeting
 - ix.** Public Comment (Items on the agenda)
 - x.** Adjournment (Adjournment is at the hour notified unless all agenda items have been completed at which time the presiding officer will declare the meeting adjourned. In the event agenda items are not complete by 8:30 p.m., all unfinished business shall be carried over to the next scheduled regular meeting unless, a motion to "Fix the Time to Adjourn" at a later time has been made, seconded, and receives a majority of the vote.)

RULE 3. AGENDA AND MEETING MATERIALS

A. Preparation of Agenda and Meeting Materials

- i.** The General Manager shall see that the preparation of Board papers, minutes, reports, resolutions, and other applicable documents (Board Packet) be completed not later than three calendar days prior to the scheduled meeting date.

ii. Commissioners, organizations, individuals and/or staff wishing to place items on the Agenda for regular Board Meetings should submit a request, in writing, to the General Manager no later than 1:00 p.m. five (5) calendar days prior to the meeting of the Board at which they wish to appear.

B. Availability of Board Packets

i. The General Manager shall see that the Board Packet is posted on the District's website not later than three calendar days prior to regular meetings. In the event there are pending and/or draft items, the General Manager shall see that the website notes, in a conspicuous manner, the pending and or draft items and the date and time completed or final items will be available on the website.

ii. The General Manager shall see that the agenda for regular meetings is posted on the District's website not later than 24 hours prior to the scheduled meeting date and time. (RCW 42.30.077)

iii. Any interested person may request copies of agenda's or Board Packets by contacting the District's Office Manager and paying the established rate of reproduction, found in the District's Rules and Regulations, or make copies on their own from the agenda and Board Packet posted on the District's website.

RULE 4. PUBLIC HEARINGS

A. Presiding Officer

i. The Presiding Officer at Public Hearings will be the President of the Board unless, the Board has taken action at a previous regular or special meeting to appoint another Commissioner to be the Presiding Officer for a specific Public Hearing. In the absence of the President of the Board, the Secretary of the Board will serve as Presiding Officer.

B. Time for Consideration

i. Public Hearings and matters noticed or ordered to be held by the Board shall be commenced at the time specified for the hearing or consideration of such matters, or as soon thereafter as is reasonably possible.

ii. When a Public Hearing is to be held by the Board just prior to a regular or special meeting, the Public Hearing time for consideration will be strictly adhered to so that the regular or special meeting may start on time after an intermission of not less than 10 minutes.

C. Adjournment of Public Hearings

i. The Board may adjourn or continue, by motion and majority vote, in the same manner as outlined in Rule 1 Section E.

D. Public Discussion at Hearings

i. After the Public Hearing is called to order and before any motion is adopted relating to the merits of the matter to be heard, the Presiding Officer shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence relating to the matter. Any person desiring to speak or present evidence will be asked to provide their name to the Office Manager. The speakers and presenters will be assigned random numbers beginning with one (1) indicating their turn to speak or present evidence before the Board.

ii. After the matter has been placed on the floor and staff or professional reports have been presented, the Presiding Officer will recognize those who wish to speak or present evidence starting with the person who was assigned number one (1) and moving sequentially through all persons wishing to speak or present evidence. Upon being recognized by the Presiding Officer, persons may speak or present evidence relevant to the matter being heard, limited to three (3) minutes. The Presiding Officer may extend a person's three (3) minutes for public comment as he/she may find reasonable under the circumstances provided, the extension does not allow any one person more than six (6) minutes. No person shall be permitted to speak or present evidence unless the Presiding Officer has recognized them and gives them the floor. Commissioners who wish to ask questions of the person speaking or presenting evidence, each other, or wish to discuss the subject matter of the hearing during the course of the hearing, may do so, but only after being recognized by the Presiding Officer and having the floor.

iii. Photographs and written testimony or evidence will be accepted by the Board prior to which will be made part of the public record.

iv. All interested persons shall be provided reasonable opportunity to present arguments for or against any proposed action. However, no person shall be permitted, during such hearing to speak or present evidence relating to matters not relevant to the matter which is the subject of the hearing.

RULE 5. ROBERT'S RULES OF ORDER

In all matters not otherwise provided for herein, the proceedings for the District shall be governed under "Robert's Rules of Order", the most current edition.

**ADOPTED BY THE NORTH BEACH WATER DISTRICT BOARD OF COMMISSIONERS,
PACIFIC COUNTY, WASHINGTON THIS 17th DAY OF September, 2016**

**Brian Sheldon, Commissioner
Position #1**

**Gwen Brake, Commissioner
Position #2**

**Glenn Ripley, Commissioner
Position #3**