



Board and Commission Handbook



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Introduction

Thank you for your interest and dedication in serving on one of our citizen advisory bodies. We are glad that you are volunteering your time and skills to help us improve our community.

Serving on one of the City commissions, boards or committees can be a fascinating and rewarding experience. These advisory bodies are charged with formulating new ideas, gathering information, hearing and receiving public comments, analyzing complex issues, and making recommendations for specific projects and policies.

As issues are often more complex than anticipated, public opinion can be sharply divided, some issues may overlap into a different area, and sometimes the province of one body may also be the territory of another. Your position will not always be easy. This handbook is provided to assist you with some of the fundamental aspects of your new responsibility.

This handbook is intended to be used as a general information resource for members of boards and commissions. In it you will find an overview of the functions of the City's many appointed bodies. You will also find an overview of the City of Everett's structure and applicable legal and ethical standards for members. This handbook is not intended to be a complete overview of specific administrative procedures, regulations or municipal codes.

Liaisons from City staff and/or City Council are assigned to assist and facilitate the work of each board, commission and committee. In general, the role of staff includes providing recommendations to the group for courses of action based on professional expertise, providing relevant facts and information to the group essential to informed decision-making, implementing direction from the group where appropriate, and acting as liaison between the group and the rest of the City staff. Lists of current staff and Council Liaisons are available at everettwa.gov/1544.

The City greatly values the effort and time commitment that you are making. Working on a committee, board or commission can be challenging and time-consuming. Please know that your work is very much appreciated and valued by the City. If you have any questions regarding the information in this book you are encouraged to contact the Mayor's Office, Legal Department, or the Liaison for your particular organization.

The Structure of Everett City Government

Mayor – In the City of Everett the Mayor is elected and serves for a term of four years. The Mayor presides at City Council meetings, administers ordinances and policies and appoints employees, officials and volunteers to commissions. The Mayor proposes policy and programs to the Council for consideration. The Mayor can veto ordinances passed by the Council. The Mayor is responsible for carrying out the policies adopted by the City Council.

City Council – The City Council is the legislative body of our city. The Council represents city residents in establishing both policy and legislative direction to the administrative branch of city government for current and future needs. The seven nonpartisan Council members are elected at-large for four-year terms which are staggered (three positions contested in one odd-year election cycle, four in the next). Council members promote the economic growth and vitality of the City through involvement in local, state and national boards and organizations.

Ordinances – The City Council passes all ordinances that together make up the municipal code. Proposed ordinances can come before the City Council in a number of ways. The Mayor can propose ordinances, the Council can ask a commission to prepare an ordinance for consideration, and Council members can develop draft ordinances themselves, as can the executive branch. After an ordinance is placed on the Council agenda it generally has three readings; first, second and final. Usually the first reading is to introduce the ordinance, the second reading is when the Council makes amendments and the final reading is when the revised ordinance is presented for final passage. Ordinances must pass by a majority vote of the Council.

Resolutions – The Council can also pass resolutions. Resolutions represent the opinion or thinking of the Council. They are generally temporary in nature. A resolution is not law, but is often an expression of opinion, an alteration of the rules, or a vote of thanks or of censure.

Comprehensive Plan – The fundamental planning document for the City is the Comprehensive Plan. It describes the vision of the City and outlines policies for development. The Comprehensive Plan policies provide guidance and direction for all types of programs the City will support.

The City of Everett is required by the Growth Management Act to keep its Comprehensive Plan up to date by regularly extending the planning horizon. Everett is expected to experience significant population and job growth in the coming decades. How we plan will affect whether we can provide the land capacity and necessary public services and facilities to accommodate this growth. The 2035 Comprehensive Plan was adopted by City Council on October 21, 2015.

Your Responsibilities and Eligibility

Responsibilities and Expectations of Board Members

All board members play a crucial role in shaping or influencing board decisions and actions. As such, it is expected that each board member stay informed about current issues and events which may affect their board. In addition, members are expected to regularly attend each meeting and come prepared. If a member is unable to fill the duration of his or her term, a letter of resignation should be sent to the Mayor's Office indicating the date the resignation is effective, and if the member is willing to serve until a suitable replacement is named.

Board Eligibility

Unless noted otherwise in the City Charter or other laws, no person serving continually in excess of six years may be eligible for reappointment to a board until they have been off that board for at least one year. Unless noted in the Charter, the mayor may appoint or remove members of all advisory boards, with the approval of the City Council. Advisory boards may either be established or dissolved by an ordinance passed by the Council.

The names of persons who are serving as selected representatives of neighborhood organizations are selected according to the by-laws of their Neighborhood Association. These candidates are then presented by the Mayor to the Council for approval.

Types of Boards and Commissions

Advisory: All boards, commissions and committees, unless indicated by either the City Charter or state law, are advisory only. Members of an advisory board create the link between community members and elected officials. Board members fill an imperative role by providing their experience and knowledge as it relates to the board on which they serve, as well as their insights regarding our community needs. The function of board members is to assist the Mayor and City Council in the performance of their duties. Board recommendations play a vital role in social and governmental issues affecting our community.

Policy-making: Policy-making boards serve as the governing body of an agency. The board is responsible for directing the agency, creating and implementing agency policy, and approving the budgets for the agency. Members of these boards have final decision-making authority.

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 review.

Laws Affecting Board Activities

Open Public Meetings Act: The Open Public Meetings Act of 1971 states, “All meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter.”

“All public commissions, boards, councils, committees, subcommittees, departments, divisions, offices, and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people’s business. It is the intent of this [Act] that their actions be taken openly and that their deliberations be conducted openly.”

Public Disclosure Act: Boards are required to have available for inspection a copy of their public records. Examples of these records include procedural rules and statements of general policy, and other records, written or electronic, pertaining to the board’s business. Requests fall under this act, if there is a request for an identifiable record, such as a letter, memo or email regarding specific issues, subjects or persons. Responses to requests must be given within five days. A response constitutes: providing the requested records, acknowledging receipt of the request and providing a reasonable amount of time needed to fill a request, or denying the request. Records relating to the conduct of official business are subject to disclosure even if they are on a personal phone or computer. Exemptions to disclosure are limited and identified in the statute.

For additional information on disclosure requirements and exemptions from the disclosure, refer to Chapter 42.56, Revised Code of Washington.

Reasonable Accommodation of Persons with Disabilities

Criteria for accessibility and accommodation are set by the Americans with Disabilities Act (ADA). People who have disabilities have a right to an equal opportunity for effective participation in the activities of boards and commissions as either appointed members of that board, or as members of the public.

Accommodations for effective communications, such as qualified sign language interpreters, materials in accessible formats, Braille, large print and tape, should be provided upon request. In addition, meetings should be held in wheelchair-accessible locations.

Ethics in Public Service

Expectations

It is the policy of the City to uphold, promote and demand a high standard of ethics from its employees and elected officials, as well as those serving on its boards and commissions. Those serving on City boards and commissions are expected to maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties. The City expects that board and commission members will comply with applicable state ethics law (Chapter 42.23, RCW).

Board and commission members are subject to the statutory prohibition forbidding the use of public facilities for political purposes. City facilities are not to be used for the purpose of assisting a campaign or election of any person to any office or for the promotion of or opposition to any ballot proposition. "Facilities" include, but are not limited to, City stationery, postage, machines, equipment, employees of the City during working hours, City vehicles, office space, City publications or City-generated lists.

Board and commission members are not to: use one's position to secure personal benefit, gain or profit or use one's position to secure special privileges for him/herself or for the benefit, gain or profit of another; use City-owned property, vehicles, equipment, materials, money for personal or private convenience or profit; directly or indirectly give or receive, or agree to give or receive, any compensation, gift, favor, reward or gratuity for a matter connected with or related to the member's service with the City; disclose or use any privileged, confidential or proprietary information gained because of service with the City.

Appearance of Fairness

The Appearance of Fairness Doctrine (Chapter 42.36, RCW) applies to actions of the boards and commissions which are "quasi-judicial" in nature. These are actions which determine the legal rights, duties or privileges of specific parties in a hearing. These types of hearings are proceedings involving policy application rather than policy making. When such a hearing is conducted, there is a requirement that the board/commission members act more like judges than administrators or legislators. As such, the application is to be judged on the information presented at the hearing. There is not to be any contact involving the merits of the application by the board/commission members with any opponent or proponent outside of the public hearing. In the case of a quasi-judicial matter, your staff liaison will inform you of the proper procedures.

If the board or commission has any questions concerning the above legal principles, please have your staff liaison seek clarification from the City Attorney's Office.

Lobbying

Board members are in a unique position that allows them to provide information and give recommendations on issues. It is important that board members are aware of the distinction between advising and lobbying. Lobbying occurs when a board member attempts to influence the passage/adoption/defeat/rejection of legislation, rules, standards, rates or other enactments under the Administrative Procedure Act, RCW 18.185.200, Chapter 34.05.

Boards/Commissions and their Responsibilities

Advisory Boards and Commissions

Animal Shelter Advisory Board

Members: 7

Term: 6 years

The Animal Shelter Advisory Board shall function in an advisory capacity to the personnel of the Animal Shelter, the Police Department and City administrative staff on issues concerning animal control within the City and the operation of the Animal Shelter.

Board of Park Commissioners

Members: 7

Term: 6 years

The Board of Park Commissioners meets monthly in an advisory capacity to discuss ideas for parks, playgrounds, golf courses, recreational programs and rental facilities. Items of interest include park master plans, capital funding projects, riverfront and shoreline access and park maintenance.

Citizen's Advisory Board

Members: 11

Term: 6 years

Formerly the Committee for Housing and Community Development, the Citizen's Advisory Board originated to promote citizen participation for Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). This Committee is responsible for creating Everett's five-year Consolidated Plan and one-year Action Plan, which are required to receive funding from HUD.

The Committee holds a public hearing in November each year to gather information regarding the housing and community development needs of low- and moderate-income people who live in Everett. The committee sends a request for proposals in mid- to late-November with the proposals being due mid- to late-December. The Committee then holds five or six meetings to gather additional information about the proposals and develop a draft Action Plan. After a 30-day comment period, the Committee sends the Action Plan to the City Council for approval. Once it has been approved by Council, the Action Plan is submitted to HUD.

In addition, each year the City of Everett has devotes money per capita to human needs (\$4 in 2019). This money is allocated to a competitive grant process for agencies that address these needs. The Citizen's Advisory Board meets annually to prioritize the City's current human needs, to review grant applications, and vote on allocation of funds to nonprofit agencies that

render services in Everett to City residents. The Committee's recommendations are then submitted to the City Council.

Council of Neighborhoods

Members: Up to 2 representatives per neighborhood (19 neighborhoods)

Term: Varies

The Council of Neighborhoods is made up of representatives from all 19 neighborhoods. The representatives are chosen by each neighborhood. The Council meets monthly except for August and December, and the neighborhood leaders share news from their communities. The Council also serves as an advisory body to the Mayor, providing an opportunity for City staff and elected leaders to hear first-hand the concerns or ideas Everett residents have about City plans. Each neighborhood may have up to two representatives and one alternate.

CHIP Loan Review Committee

Members: 3

Term: 4 years

The ad hoc Community Housing Improvement Program (CHIP) Loan Review Committee advises City staff on matters related to the CHIP Program.

These matters may include: reviewing and recommending whether to approve loan applications, advising CHIP staff on changes in CHIP loan application guidelines, administrative procedures, evaluation criteria and the Operating Procedures Manual; hearing and making recommendations regarding grievances and appeals of the actions of the CHIP program; reviewing and deciding whether to approve applications by general contractors to be added to the CHIP contractors list; and setting a maximum dollar amount on which the contractor can bid.

CHIP Loan Review Committee members are appointed by the Mayor and include one member from each of three groups: participating lenders, building trades, and neighborhood representatives or former CHIP clients. Each position may have an alternate.

Cultural Arts Commission

Members: 11

Term: 6 years

The Cultural Arts Commission is responsible for developing City cultural arts policies and initiatives. The commission serves as the reviewing body for the "1% for art" funded projects and programming, and capital grants to arts organizations. The commission awards and hosts the Wendt & Mayors Arts Awards.

Diversity Advisory Board

Members: 15

Term: 4 years for 7 members, 2 years for 8 members

The 15 members reflect the diverse community that is Everett. The Diversity Advisory Board is responsible for encouraging constructive dialog and education regarding the diverse makeup of our community. The Diversity Board makes recommendations concerning City policies and programs. The board also strengthens and helps coordinate the City's responses to the requests and concerns of the community regarding diversity and inclusion issues.

Historical Commission

Members: 9

Term: 6 years

The Historical Commission is responsible for Everett Historic Preservation Program. The duties include nominating properties to the Everett Register of Historic Places, reviewing State and National Register nominations, approving projects for "Special Valuation" tax benefits, providing design review in the Historic Overlay Zone, and sponsoring workshops and publishing books and brochures on Everett heritage.

Lodging Tax Advisory Committee

Members: 5

Term: 4 years

The Lodging Tax Advisory Committee reviews proposed changes to the lodging tax rate, tax exemptions, and use of the tax. Tax proceeds may be used for tourism promotion, the acquisition and operation of tourism-related facilities, and other uses authorized by state law.

Planning Commission

Members: 7

Term: 6 years

The Everett Planning Commission is an advisory commission that makes recommendations to City Council, the Mayor and City departments on the City's broad planning goals, policies and long-range plans such as the Comprehensive Plan, design guidelines, Shoreline Management Program and zoning code revisions.

Senior Center Advisory Board

Members: 9

Term: 6 years

The Senior Center Advisory Board advises the director of the Senior Center, and his or her staff, to accomplish the best use of that facility, including the provision of programs that respond to the needs and desires of Everett's senior citizens.

Transportation Advisory Committee

Members: 9

Term: 6 years

The Transportation Advisory Committee provides input and advisory direction to City staff and Administration on traffic issues, traffic safety, transit service and transportation planning. The items discussed and considered range from routine traffic concerns to long-term transportation plans.

Policy Boards

Civil Service Commission

Members: 3

Term: 6 years

The Charter established the Civil Service Commission to oversee the administration of specific Charter provisions relating to City employment. The Commission provides for the classification of all employees except day laborers, Municipal Court, Library, and appointive officers.

Everett Housing Authority Board of Commissioners

Members: 6

Term: 5 years

The Board of Commissioners is charged with the responsibility of setting policies for the Everett Housing Authority and appointing the Executive Director.

Everett Public Facilities District

Members: 5

Term: 4 years

Independent Municipal Corporation which is authorized to undertake the design, construction, operation, promotion and financing of a regional center. It is governed by a five-member board of directors, three of whom are appointed based on recommendations from local organizations that may include, but not be limited to, the local Chamber of Commerce, local Economic Development Council and the local Labor Council.

Library Board

Members: 5

Term: 5 years

The Charter vests the management of the City of Everett Public Libraries to the trustees selected to serve on this board. The board is responsible for selecting a library director, and adopting a system of examinations under which all appointments, except that of the library

director, shall be made. The Board also holds the power to make any decisions necessary regarding the management and control of the Library. Members of the Library Board are ineligible for reappointment after serving on the board for four years. They must wait for one full year before they are eligible to serve on this Board again.

Citizens' Commission on Salaries of Elected Officials

Membership and Terms:

- 2 members are appointed by the City Council
- The Mayor appoints 1 member
- The 3 members then select the other 4 representatives
- All members serve a 4 year term

The Charter states the Citizens' Commission on Salaries of Elected Officials is responsible for examining the relationship of salaries to the duties of all elected officials and setting the realistic salaries for each respective position. Paying officials according to realistic standards ensures that citizens of the highest quality may be attracted to public service.

Charter Review Committee

Members: 15

Term: The members serve for the amount of time required to review the City's Charter. New members are selected during each review period, which must take place at least once every 10 years.

The City's Charter Review Committee is a group of appointed volunteers tasked with reviewing the city's Charter. The Charter is the City's constitution. It outlines how the city's legislative, judicial and executive branches operate. The City's charter was originally adopted in 1968.

The Charter is reviewed at least every 10 years, with the most recent review occurring in 2016. In January, the Mayor and City Council designate 14 members of the Charter Review Committee. The fifteenth member is chosen by the Committee when it convenes in February.

The purpose of the Committee is to examine and evaluate the Charter, take public input and provide a written recommendation to the Mayor and City Council as to whether the Charter should be revised and, if so, identify the specific sections of the Charter to be changed, with an explanation as to the need for the revisions and the recommended changes. In order for a recommendation to amend a particular section of the Charter to be forwarded to the Mayor and the City Council, the recommendation must have a favorable vote of at least 10 members.