

**STAFF REPORT NO. 177-14**

**TO:** Mayor and City Council  
**FROM:** Eric Holmes, City Manager



**DATE:** 12/15/2014

**Subject:** Amendments to City Council Policies 100-31(A), 100-32, 100-33, and 100-40

**Key Points:**

- Periodic updates to Council policies and procedures are necessary to reflect changes in City policies and practices and state law.
- Updates are proposed to Council Policies 100-31(A): City Manager Evaluation Process, 100-32: City Council Meetings, 100-33: City Council Appointments to Boards and Commissions, and 100-40: Social Media Policy.

**Objective:** Update Council Policies to reflect current practices and updates to State law.

**Present Situation:** The City Council's operating policies and procedures were originally adopted in 1999. Periodic review and updates to the policies are necessary in order to reflect changes in City policy and practices as well as changes in state law.

After recent review of the Council policies, staff recommends the revisions as outlined in the table attached to this staff report. The updates primarily reflect common practices for certain operations and procedures that have evolved since the previous policy review, as well as some routine text changes. Revisions to Council policies must be made by resolution.

**Advantage(s):**

1. Updates operating practices for the City Manager annual evaluation process and the appointment of Councilmembers to boards and commissions based on current practice.
2. Provides clarification to how action is taken for pulled Consent Agenda items, and clarifies acceptable Councilmember use of electronic devices.
3. Brings Council procedures for calling Special Meetings into alignment with the Open Public Meetings Act.
4. Includes the boards and commissions for which the Council provides representation that inadvertently had been omitted previously.
5. Provides routine text updates within the Council Meetings policy.

**Disadvantage(s):** None

**Budget Impact:** None

**Prior Council Review:** None

**Action Requested:** Adopt a resolution amending City Council Policies 100-31(A), 100-32, 100-33 and 100-40.

Attachment(s):

- Proposed Revisions Matrix
- Resolution
- Redlined Council Policies 100-31(A), 100-32, 100-33, and 100-40



To request other formats, please contact:  
 City Manager's Office  
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<b>Policy</b>	<b>Section(s)</b>	<b>Proposed Revisions</b>
Policy 100-31(A) "City Manager Evaluation Process"	Section 4.2 Survey of Councilmembers and Section 4.3 Survey of City Staff	Provide for a mutually agreeable outside facilitator, rather than the Deputy City Manager, to survey Councilmembers and City staff regarding the City Manager's performance.
Policy 100-32, "City Council Meetings"	Section 5.1	Update the City Hall address.
<i>100-32 cont'd</i>	Section 5.6.2 Broadcasting and Section 5.9 Workshops	Addition of CVTV HD station Comcast 323 and website live streaming as viewing options.
<i>100-32 cont'd</i>	Section 5.6.3.6 Formal Presentations and Special Presentations, and 5.6.3.7 Citizen Communications on Agenda Items	Routine text edits.
<i>100-32 cont'd</i>	Section 5.6.3.9 Consent Agenda	Clarify that separate action is required to pass items pulled from the Consent Agenda for individual consideration.
<i>100-32 cont'd</i>	Section 5.11 Special Meetings	Update provision by which a Special Meeting may be called per changes to the Open Public Meetings Act
Policy 100-33, "City Council Appointment to Boards and Commissions"	Section 4.0 Process for Making Appointments	Update process by which the Mayor solicits Council interest in appointments and provides for greater flexibility in the meeting setting during which such appointments are made
<i>100-33 cont'd</i>	Section 7.0 Boards and Commissions: Council Participation by Choice, and Section 8.0 Boards and Commissions: Council Participation by Choice	Addition of Elder Justice Center Board, Wastewater District Oversight Committee, and Safe Communities Task Force.
Policy 100-40, "Social Media Policy"	Appendix: Special Notes about text messaging and cellular phone devices	Addition of guidelines for acceptable use of electronic table devices (e.g. iPads) by Councilmembers when conducting City business.

12/15/14

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION relating to City Council policies regarding the City Manager evaluation process, Council meeting procedures, Councilmember representation on boards and commissions, and the social media policy; amending Sections 4.2 and 4.3 of City Council Policy 100-31(A), amending Sections 5.1, 5.6, 5.9, and 5.11 of City Council Policy 100-32, amending Sections 4.0, 7.0 and 8.0 of City Council Policy 100-33, and amending the Appendix of Council Policy 100-40.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. That as recommended in SR \_\_\_\_\_, the Policy and Procedure entitled “City Manager Evaluation Process,” No.100-31(A) attached hereto, last modified January 3, 2011, by Resolution M-3730, is hereby adopted. Such policy establishes formal procedures for the annual performance evaluation of the City Manager by City Council.

Section 2. That as recommended in SR \_\_\_\_\_, the Policy and Procedure entitled “City Council Meetings,” No. 100-32 attached hereto, last modified March 21, 2011, by Resolution M-3737, is hereby adopted. Such policy establishes formal procedures for the conduct of City Council meetings.

Section 3. That as recommended in SR\_\_\_\_\_, the Policy and Procedure entitled “City Council Appointments to Boards and Commissions,” No. 100-33 attached hereto, last modified

January 3, 2011, by Resolution M-3730, is hereby adopted. Such policy establishes formal procedures for appointing City Councilmembers to Boards and Commissions.

Section 4. That as recommended in SR \_\_\_\_\_, the Policy and Procedure entitled “Social Media Policy,” No. 100-40 attached hereto, adopted January 3, 2011, by Resolution M-3730, is hereby adopted. Such policy establishes a formal process for the use of social media/new media by individual Councilmembers in their capacity as elected officials.

ADOPTED at regular session of the Council of the City of Vancouver, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Timothy D. Leavitt, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
R. Lloyd Tyler, City Clerk  
By: Carrie Lewellen, Deputy City Clerk

\_\_\_\_\_  
E. Bronson Potter, City Attorney

Attachments:

- Council Policy 100-31(A)
- Council Policy 100-32
- Council Policy 100-33
- Council Policy 100-40



## POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX Administrative/Council/City Manager			
Subject	Number 100-31 (A)	Rev. D	Effective Date 12/15/14	Page 1 of 3
City Manager Evaluation Process	Supersedes 01/03/11	Prepared by: [City Manager]	Approved by: [Mayor]	

### 1.0 **Purpose**

The purpose of the evaluation is to discuss, assess, and summarize the results and performance of the City Manager. It is also a time to clarify expectations regarding the City Manager's performance, set objectives for the upcoming year, and identify actions which can be taken to maintain and/or increase the City Manager's effectiveness.

Beginning one year after the City Manager's date of hire and thereafter on an annual basis, the City Council will meet with the Manager in Executive Session to conduct a performance evaluation. The evaluation will be completed within one month after the City Manager's anniversary date with the City. Council, by a majority vote, may also decide to do an out of cycle review of the City Manager.

### 2.0 **Organizations Affected**

City Council/City Manager

### 3.0 **References**

City Council Resolution M-3227, June 14, 1999  
City Council Resolution M-3257, November 22, 1999  
City Council Resolution M-3317, December 4, 2000  
City Council Resolution, M-3730, January 3, 2011  
City Council Resolution M-\_\_\_\_, December 15, 2014.

### 4.0 **Policy**

#### **4.1 Pre-evaluation Information for Council**

Prior to initiating the evaluation, copies of the City Manager's current employment contract, prior year's objectives, and prior year's accomplishments will be made available to the entire Council.

The Mayor, Councilmembers and City Manager will meet and agree on the evaluation criteria and format for the process prior to the initiation of any surveys.

#### **4.2 Survey of Councilmembers**

Two months prior to the City Manager's scheduled evaluation, ~~the Assistant City Manager~~ a mutually agreeable external facilitator will conduct, with Council's guidance, a survey of every Councilmember and the City Manager to enable a confidential, group assessment of the City Manager's performance. No summary of the group assessment shall be completed until all Councilmembers have been surveyed. The survey should be comparable to the previous year's survey so changes from one year to the next can be analyzed. Only the Council can disclose the results of the survey to the City Manager.

#### **4.3 Survey of City Staff**

During the two months prior to the City Manager's scheduled evaluation, ~~the Assistant City Manager~~ the outside facilitator may, with Council's guidance, conduct a survey of executive staff, department heads, division and service managers, to enable their perspective to be incorporated into the evaluation process. The survey should be comparable to the previous year's survey so changes from one year to the next can be analyzed. The results of this survey will be provided to Council only after Council has completed their survey. The Council and the City Manager will simultaneously receive the survey results.

#### **4.4 Discussion with City Manager**

At an Executive Session, Council will provide summary comments, as well as individual comments by Councilmembers. The City Manager may wish to respond at the conclusion of the Council comments. Multiple Executive Sessions may be required.

#### **4.5 Goals for Next Year**

The City Manager and Council will jointly create a written list of goals and measures for the upcoming year.

The goals will be reviewed at least on an annual basis, modified as determined appropriate by Council and the City Manager, and results documented. Goals may be reviewed more frequently at either the City Manager's or Council's request.

#### **4.6 Compensation Changes**

Prior to the completing the evaluation, the Mayor and Council will discuss and reach consensus on recommendations for the City Manager's employment contract amendments, including but not limited to salary, bonus, and/or cost-of-living increase.

#### **4.7 Written Documentation of Evaluation**

The Council will provide the City Manager with a written summary of the past year's contributions, areas for improvement, and mutually agreed upon goals and measurements for the upcoming year.

#### **4.8 Employment Contract Amendments**

The final step of the evaluation process will be to have the City Attorney prepare amendments, if any, to the City Manager's employment contract, which will then require approval as a Consent Agenda item at a Council meeting.

#### **4.9 Press Release**

The Mayor will prepare a press release within three working days following the last Executive Session regarding the City Manager's evaluation.

### **5.0 Procedures**

The primary objective of this procedure shall be to promote a systematic and coordinated process for evaluating the City Manager's performance.



## POLICY AND PROCEDURE

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	Administrative/Council/City Manager			
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City Council Meetings	100-32	E	12/15/14	
	Supersedes	Prepared by:	Approved by:	
	03/21/11	[City Manager]	[Mayor]	

### 1.0 Purpose

The purpose of this policy is to establish formal procedures for the conduct of City Council meetings.

### 2.0 Organizations Affected

City Council/City Manager

### 3.0 References

City Council Resolution M-3239, August 9, 1999  
City Council Resolution M-3258, November 22, 1999  
City Council Resolution M-3350, July 23, 2001  
City Council Resolution M-3412, December 12, 2002  
City Council Resolution M-3607, April 16, 2007  
City Council Resolution M-3737, March 21, 2011  
City Council Resolution M-\_\_\_\_, December 15, 2014

### 4.0 Presiding Officer

#### 4.1. Presiding Officer

The Presiding Officer at all meetings of the Council is the Mayor, and in the absence of the Mayor, the Mayor Pro Tempore will act in that capacity. If both the Mayor and Mayor Pro Tempore are absent, the next ranking member shall act in that capacity.



#### **4.2. Choosing Mayor Pro Tempore**

The Mayor Pro Tempore shall be chosen according to *Section 2.04 of the Vancouver City Charter and Roberts Rules of Order*.

#### **4.3. Obligations of Presiding Officer**

The Presiding Officer shall:

- (1) Preserve order and decorum in the Council chambers in accordance with sections 5.6.3.7 and 5.6.3.8;
- (2) Observe and enforce all rules adopted by the Council;
- (3) Decide all questions on procedure and order, in accordance with these rules, subject to appeal by a Councilmember;
- (4) Recognize Councilmembers in the order in which they request the floor, giving every Councilmember who wishes an opportunity to speak. The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers.
- (5) From time to time, appoint Councilmembers to serve on ad hoc committees.

### **5.0 Council Meetings**

#### **5.1. General Information**

City Council meetings are held on the first, second, third, and fourth Mondays of a month in the City Council Chambers, ~~210 East 13th Street~~415 West 6<sup>th</sup> Street, Vancouver, Washington. Meetings are not scheduled on the fifth Monday of a month.

#### **5.2. Quorum**

At all meetings of the Council, a majority of the Council (four members, or five members for budget items and appropriations) constitutes a quorum for the transaction of business, but a lesser number may adjourn from day to day or until the time of the next regular meeting and may compel the attendance of absent members in such manner and under such penalties as the City Council shall prescribe. (*Section 2.02 of Vancouver City Charter*)

#### **5.3. Council Seating**

The Presiding Officer and six elected Councilmembers sit on a dais facing the public with the Presiding Officer seated in the middle. The Councilmembers are seated based on seniority, with the most senior Councilmember seated on the Presiding Officer's left side and continuing in decreasing seniority away from the Presiding Officer to the end of the dais. The order is continued at the far opposite side of the dais and progressing toward the Presiding Officer's right side, resulting in the least senior Councilmember seated on the Presiding Officer's right side.

#### **5.4. Council Meeting Scheduled on Holiday**

In the event a City-recognized holiday occurs on Monday, the Council meeting shall be cancelled. The Vancouver City Charter requires that Council conduct two “regular” meetings each month. Therefore, when such a Holiday falls on a first or third Monday (regular Council meeting nights), a regular Council meeting will be scheduled on the following Monday (second or fourth). The schedule for the entire year will be sent to the media, placed on the City’s website and distributed to all City departments before January 1 of each year. City Council may, at any time, add or change a meeting date and time by a majority vote of the Council and proper notification to the press.

#### **5.5. Recording Proceedings**

The City Clerk or delegate shall maintain an account of all proceedings of the Council in accordance with statutory requirements, and such account shall be entered into a minute book constituting the official record of the Council according to Section 2.11 of the Vancouver City Charter. Such minutes will also be posted on the City’s website. City Council meeting minutes can be corrected if in error but shall not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

#### **5.6. Regular Meetings**

##### **5.6.1. Meeting Dates**

Regular meetings are held the first and third Mondays of each month at 7 p.m. and will adjourn no later than 11 p.m. To continue past this time of adjournment, a majority of the Council must concur.

A regular meeting may be canceled by a majority vote of the Council taken at least one week before said meeting.

##### **5.6.2. Broadcasting**

Regular meetings are cablecast live and replayed on CVTV-23 and [CVTV-323](#), and streamed live at [www.cvtv.org](http://www.cvtv.org).

##### **5.6.3. Agenda**

###### **5.6.3.1. Placing Item on the Agenda**

An item may be placed on a Council meeting agenda by any of the following methods:

- (1) A majority of the Council,
- (2) Council consensus,

- (3) By any two (2) Councilmembers
- (4) By the City Manager,
- (5) By a Council Committee,
- (6) By the Mayor.

The Presiding Officer calls the meeting to order. The Presiding Officer will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance. A majority vote is required to excuse any Councilmember absence.

#### **5.6.3.3. Roll Call**

#### **5.6.3.4. Agenda Item Order**

The Presiding Officer may, with the concurrence of the Councilmembers, take agenda items out of order or change the order of the agenda.

#### **5.6.3.5. Approval of Minutes**

#### **5.6.3.6. Formal Proclamations and Special Presentations**

A proclamation is defined as an official announcement signed by the Mayor regarding a non-controversial event which will have a major citywide impact. Special presentations include, but are not limited to, retirements, commendations and recognition by the Mayor and City Council.

Proclamations will be briefly summarized by the Mayor and presented to the recipient(s). ~~They~~ The recipient(s) will be allowed to make brief comments.

#### **5.6.3.7. Citizen Communications on Agenda Items**

~~The~~ Members of the public ~~is~~ are invited to speak for approximately three minutes each about any item on that evening's Council Agenda that is not already scheduled for public hearing or which otherwise allows for public testimony.

#### **5.6.3.8 Testimony to Council**

Speakers who wish to testify before the City Council either during citizen communication on agenda items or as part of a scheduled public meeting or public hearing or during the Citizen Forum portion of the Council meeting as set forth in Section 5.8 are required to complete a "Testimony Registration Form" which provides their name, address, agency or group

they represent, the item they wish to testify on, and their position on the subject.

At the appropriate time, speakers are requested by the Presiding Officer to step up to the podium, give their name for the record, and asked to limit their remarks to approximately three minutes. (Council prefers lengthy written testimony to be submitted at least a week prior, so Council has a chance to fairly consider the comments.) All remarks will be addressed to the Council as a whole. Each person who addresses the Council shall do so in an orderly manner and shall not make slanderous or profane remarks to any member of the Council, staff or the general public. Any person who makes such remarks or who becomes boisterous, threatening or personally abusive while addressing the Council and which disrupts or otherwise impedes the orderly conduct of any Council meeting may be requested to leave the meeting.

The Presiding Officer and City Manager have the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct as described herein and which disrupts or otherwise impedes the orderly conduct of an Council meeting and to enforce the Rules of the Council. The Presiding Officer and City Manager may command assistance of any peace officer of the City to enforce all lawful orders to restore order at any meeting.

#### **5.6.3.9. Consent Agenda**

These are routine items voted on by a single motion. Typical items include payment of bills, awarding contracts, adoption of resolutions, and first reading of ordinances. Any Councilmember may remove any item from the consent agenda for discussion and separate action.

Ordinances for First Reading: The City Manager presents information on a proposed new city law or practice, or a change to an existing law or practice. Council then sets a date for second reading and public hearing.

#### **5.6.3.10. Public Hearings**

Citizens are invited to present their views on specific issues being considered by Council. Speakers are asked to limit their testimony to approximately three minutes. The Presiding Officer will state the public hearing procedures before each public hearing.

Public testimony is subject to the provisions of section 5.6.3.8.

#### **5.6.3.11. Ordinances for Second Reading and Public Hearing**

Citizens are invited to present their views on proposed ordinances before a final vote by Council. All public hearings on proposed ordinances are advertised in The Columbian at least three days in advance and information is posted on the City's website. (In an emergency, a public hearing can be called within 24 hours with proper media notification.) Public testimony is subject to the provisions of section 5.6.3.8.

#### **5.6.3.12. Council and City Manager Communications**

City Councilmembers, Mayor and the City Manager make special announcements or provide updates on current issues or items of Council interest.

#### **5.6.3.13. Unfinished Business**

Council discusses ongoing issues or items continued from earlier meetings.

#### **5.6.3.14. New Proposals and Reports**

These are presented by the Councilmembers for a brief discussion. They can include policy changes, new laws, regulations and resolutions. Action is not taken on items at this time.

#### **5.6.3.15. Adjournment**

There being no further business, the Presiding Officer adjourns the meeting.

### **5.7. Consent Agenda Meetings**

Consent agenda meetings are held the second and fourth Mondays of the month at 6 p.m. Consent agenda items - such as first reading of ordinances, payment of bills and awarding of contracts - are considered at these meetings. Public comment regarding any item on that evening's agenda is taken at the beginning of the meeting. Comments are limited to approximately three minutes per speaker.

### **5.8 Citizen Forum**

A Citizen Forum will be held at the end of the first and second Consent Agenda meetings of the month. A Citizen Forum includes up to ninety (90) minutes of public testimony or less depending on the number of speakers. Citizens may speak on any issue of concern or interest. Speakers are asked to fill out testimony cards as provided for in section 5.6.3.8

and to limit their comments to approximately three minutes. Each speaker shall have one opportunity to address the Council. During Citizen Forum, Councilmembers have the ability to ask questions and reply to speakers.

#### **5.9. Workshops**

At the discretion of Council, Council workshops are held Mondays from 4 to 6 p.m. During these meetings, items needing in-depth discussion are introduced and reviewed. No formal action is taken at workshops. Formal action is defined as a collective positive or negative decision following an actual vote by a majority of the Council upon a resolution, order or ordinance. Workshops are open to the public. Workshops are cablecast live and replayed on CVTV-23 and CVTV-323, and streamed live at [www.ctvvtv.org](http://www.ctvvtv.org).

Council will, on a regular basis, be provided with an on-going preview of up coming workshops.

#### **5.10. Executive Sessions**

An Executive Session is a council meeting or portion of a council meeting that is closed except to the Council, City Manager and authorized staff members and/or consultants authorized by the City Manager. The public is restricted from attendance. Executive Sessions may be held during Regular or Special council meetings and will be announced by the Mayor. Before convening an Executive Session, the Mayor shall announce the purpose of the meeting and the anticipated time when the session will be concluded. Should the session require more time, a public announcement shall be made that the meeting is being extended. Executive Sessions shall be held in accordance with the provisions of the Washington State Open Meetings Act.

#### **5.11. Special Meetings**

The city clerk shall call public meetings of the City Council upon the approval of the Mayor or ~~of any two members~~ a majority of the Councilmembers. Any request shall state the subjects to be considered at such special meeting and no other subject shall there be acted upon. (Section 2.10 of the Vancouver City Charter)

Notice of every special meeting shall be given in writing to every Councilmember, to the City Manager, to the City Attorney, and to all local news media representatives who have on file with the city clerk a request for such notices. The notice shall be delivered personally, by mail, or otherwise, so as to be received at least 24 hours before the meeting. The notice shall state the place and time of the meeting and the business to be conducted. The Council shall not make final disposition of any matter not included in the notice.

## **6.0 Agenda Preparation**

### **6.1. General Information**

The City Manager's office will prepare an agenda for each Council meeting specifying the time and place of the meeting and set forth a brief general description of each item to be considered by the Council. The agenda is subject to approval by the Mayor and the City Manager.

### **6.2. Adding an Item to a Published Agenda**

An item may be placed on a regular Council meeting agenda after the agenda is closed and the notice published if the Councilmember or City Manager explains the necessity and receives a majority vote of the Council at a public meeting.

### **6.3. Agenda Finalization Schedule**

Agenda materials will be available at City Hall and on the City's website for City staff, the media and public on Friday prior to the meeting. Agenda materials will be available for Councilmembers on Thursday prior to the meeting.

## **7.0 Councilmember Attendance at Meetings**

Councilmembers shall inform the Mayor or City Manager if they are unable to attend any Council meeting, or if they will be late to any meeting. A majority vote is required to excuse any Councilmember absence.

## **8.0 Council Meeting Staffing**

The City Manager shall attend all meetings of the Council unless excused. At the discretion of the City Manager, the Assistant City Manager, department heads, and other staff members shall attend. The City Manager may make recommendations to the Council and shall have the right to take part in the discussions of the Council but shall have no vote.

## **9.0 Media Representation at Council Meetings**

All public meetings of the City Council and its advisory committees shall be open to the media, freely subject to recording by radio, television, electronic, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting.

## **10.0 Council Discussion**

All Council discussion shall be governed by Robert's Rules of Order, Newly Revised. The City Attorney is the Parliamentarian. Every Councilmember shall be provided with a copy of Robert's Rules of Order, Newly Revised when first joining the Council.

## **11.0 Voting**

### **11.1. Roll Call Votes**

The City Clerk will take a roll call vote, if requested by the Presiding Officer, a Councilmember, or as required by law. The roll call vote shall be by seniority with the least senior member voting first.

### **11.2. Tie Vote**

The passage of a Motion, Resolution or Ordinance is lost by a tie vote, provided that the question may be brought forward again at the request of any member at the same meeting or at the next meeting when any members who were absent or disqualified at the time of the tie vote are present.

### **11.3. Votes on Questions**

Each member present shall vote on all questions put to the City Council except on matters on which he or she has been disqualified for a conflict of interest or under the Appearance of Fairness Doctrine. Such a member shall disqualify himself or herself prior to any discussion of the matter. If abstaining, the Councilmember must state the reasons for abstaining, identifying one or more of the following: (1) an excused absence from the prior council meeting and/or (2) a conflict of interest and/or (3) an Appearance of Fairness issue. See Policy 100-39. A Councilmember, who abstains but fails to identify the absence, conflict of interest and/or Appearance of Fairness issue, will be considered to have voted for the majority's position in respect to questions before the council and have their vote so recorded. When disqualification of a member or members results, or would result, in the inability of the Council to act on a matter on which it is required by law to take action, any member who is absent or who is disqualified under the Appearance of Fairness Doctrine may subsequently participate, provided such member first shall have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.

C:\Council\Procedure 100-32 Council Meetings





## POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX			
	Administrative/Council/City Manager			
Subject	Number 100-33	Rev. C	Effective Date 12/15/14	Page 1 of 3
City Council Appointment to Boards and Commissions	Supersedes 01/03/11	Prepared by: [City Manager]	Approved by: [Mayor]	

### 1.0 Purpose

The purpose of this policy is to establish formal procedures for making appointments to boards and commissions.

### 2.0 Organizations Affected

City Council/City Manager

### 3.0 References

City Council Resolution M-3255, November 22, 1999  
City Council Resolution M-3299, July 3, 2000  
City Council Resolution M-3607, April 16, 2007  
City Council Resolution, M-3730, January 3, 2011  
City Council Resolution, M-\_\_\_\_, December 15, 2014

### 4.0 Process for Making Appointments

At the beginning of the biennium following an election, the Mayor shall ~~schedule a workshop confer with each Councilmember~~ in order to solicit information from Councilmembers as to those boards and commissions on which they wish to serve. ~~Following these meetings, Council shall meet in a setting open to the public to discuss and approve final appointment assignments.~~ At such ~~workshop-public meeting~~, the Mayor shall lead a discussion of potential appointments to each position. Conflicts shall be resolved by giving the appointment to the most senior member desiring the appointment. A majority vote of the Council is required to approve all appointments.

## **5.0. Appointment Limits**

The Council values continuity on boards and commission, providing experience to the boards and commissions, and providing learning opportunities for the growth of new Councilmembers. There shall be no limit to the number of terms any Councilmember may serve on any board or commission.

## **6.0 Councilmembers Representing an Official City Position**

Individual Councilmembers serving on appointed boards and commissions represent the Council as a whole. Once the City Council has taken a position on an issue, either through a majority vote or consensus, all official City correspondence regarding that issue will reflect the Council's adopted position.

The Mayor is authorized to send letters stating the City's official position to appropriate officials. Councilmembers shall receive copies of all such letters. If a member of the City Council appears before another governmental agency or organization either as an appointed member of that agency or as a guest to give a statement regarding an issue affecting the City on which the City Council has taken a position, the Councilmember shall indicate the majority position of the Council. Personal opinions, minority positions and comments contrary to the majority position may be expressed only if the Councilmember clarifies that such statements do not reflect the official position of the City Council.

Councilmembers have a responsibility to bring significant policy decisions back to the whole Council for discussion and decision whenever possible.

## **7.0. Boards and Commissions: Council Participation Required**

Council participation in the following boards and commissions is required by law:

- Bi-State Transportation Committee (Interlocal Agreement)
- C-TRAN (RCW 36.57A.050; Bylaws Section 3.1)
- Child Abuse Intervention Executive Board (Bylaws, Section 2(b))
- Lodging Tax Advisory Committee (RCW 67.28.1817)
- Metro Policy Advisory Committee ((MPAC) Bylaws, Article III, Section 1(b)(e))
- Southwest Clean Air Agency (RCW 70.94.100)
- Southwest Washington Regional Transportation Council (RCW 47.80.020; 1992 Interlocal Agreement)
- [Clark County Elder Justice Center Executive Board \(2012 Interlocal Agreement, Section IV\(A\)\(2\)\)](#)
- [Clark Regional Wastewater District Oversight Committee \(2010 Coordination of Services Agreement, Article 12\)](#)

## **8.0     Boards and Commissions: Council Participates by Choice**

Council has decided Councilmembers will participate on the following, although not required by law:

- Joint Policy Advisory Committee on Transportation ((JPACT) Bylaws, IV(f))
- Clark County Community Action Advisory Board (Bylaws require 3 local elected officials)
- Clark County Solid Waste Advisory Commission (RCW 24.16.040)
- Columbia River Economic Development Council (Bylaws)
- Council for the Homeless (Intergovernmental Cooperation Agreement between City, County and the Housing Authority, approved December 18, 1989)
- [Safe Communities Task Force \(voluntary membership\).](#)

## **9.0.   Boards and Commissions: Mayor/Mayor pro Tempore Participation Required**

The following boards and commissions require participation by the Mayor or the Mayor and Mayor Pro Tempore:

- Police Pension Board - (RCW 41.20.010) Mayor Pro Tempore participation required. The Mayor may appoint a designate representative who is an elected official.
- Fireman's Pension Board (RCW 41.16.020)
- City Audit Committee

C:\C\Procedure 100-33 Appointment to Boards & Comm (12/15/14)



## POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX  Administrative/Council/City Manager			
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Social Media Policy	Supersedes 01/03/11	Prepared by: [City Manager]	Approved by: [Mayor]	

### 1.0 **Purpose**

The purpose of this policy is to establish a formal process for the use of social media/new media by individual Councilmembers in their capacity as elected officials.

### 2.0 **Organizations Affected**

City Council/City Manager

### 3.0 **References**

Ch. 42.56 RCW- Public Records Act  
Ch. 42.30 RCW- Open Public Meetings Act  
RCW 41.06.250- political activities  
RCW 42.17.130- use of public office  
RCW 42.17.190- use of public facilities in campaigns  
Council Policy 100-36- Code of Ethics  
Council Policy 100-37- E-Mail Policy  
Council Policy 100-39- Appearance of Fairness  
City Council Resolution M-3730, January 3, 2011  
City Council Resolution M- , December 15, 2014

#### **4.0 Declaration of policy**

This policy outlines the roles, responsibilities, and best practice recommendations for the use of social media/new media by individual Council members in their capacity as elected officials. The City Council is committed to open and progressive communications between Councilmembers and constituents utilizing available and future on line technologies within the limits of the law.

#### **5.0 Definitions**

Social Media, is the use of third-party hosted online technologies that facilitate social interactions and dialogue. These online technologies are operated by non-city hosted services and may be used by the City Council and/or individual Councilmembers to communicate, with the public. Such third party hosted services/tools may include, but are not limited to: social networking sites (MySpace, FaceBook, Linked-In), micro-blogging tools (Twitter, RSS feeds), audiovisual networking sites (YouTube, Flickr), blogs, etc.

These guidelines apply to any social media site or tool used by individual Councilmembers in their official capacity to communicate with constituents or the general public. It is the individual Council Member's responsibility to ensure compliance with this policy.

“Comment” is a response to an article or social media content submitted by a commenter.

"Councilmember" here includes Councilmembers and any staff working on a Councilmember's behalf to represent him or her using a social media tool.

#### **6.0 General Policy**

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts should model the same professional behavior displayed during Council meetings and community meetings.

Social media are not to be used as mechanisms for conducting official city business other than to informally communicate with the public. Examples of business that may not be conducted through social media include making policy decisions, official public noticing, and discussing items of legal or fiscal significance that have not previously been released to the public. Councilmembers' social media site(s) should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct official city business.

Upon the advice and recommendation of the City Manager and staff and at the discretion of the Council, social media applications, tools or sites may be limited or banned by Council if they are not or cannot be used in compliance with this policy.

## **7.0 Ethics and Elections Rules of Compliance**

All content posted on individual Councilmember social media sites shall comply with Council Policies and Procedures, City ordinances and administrative rules and Washington State law regulating elected officials.

No content that promotes or advertises commercial services, entities, or products may be posted.

Councilmembers will not post or release proprietary, confidential or sensitive information on social media websites.

Councilmembers shall not post comments or links to any content that endorses or opposes political candidates or ballot propositions, including links to a Councilmember's campaign site (RCW 41.06.250; RCW 42.17.130; RCW 42.17.190).

## **8.0 Records Retention Act Compliance**

State and local records retention laws and schedules apply to social media content. All social media content that is required to be retained shall be maintained for the required retention period on a City server in a format that preserves the metadata of the original record. Prior approval of the retention format and procedures *for each social media tool being used* must be received from the City Manager upon the advice and recommendations of the Public Records and Information Technology staff. It is the responsibility of each Councilmember to maintain current, approved retention procedures and to ensure that those procedures are followed.

As with any correspondence sent in his or her capacity as a Councilmember, Councilmember postings to social media sites maintained by others must be retained by the posting Councilmember. Printouts of postings to others' sites may suffice for retention purposes. Councilmembers should consult with the City Manager and appropriate staff for the applicable retention schedule and method.

## **9.0 Public Records Act Compliance**

Any content maintained in a social media format, i.e., FaceBook, YouTube, Twitter, etc., that is related to City business, including communication between an individual Councilmember and constituents or the general public, and a site's listing of "friends" or "followers", may be considered a public record subject to disclosure under the state Public Records Act.

Any social media tools used should clearly state that all content submitted by members of the public is potentially subject to public disclosure pursuant to the Public Records Act RCW 42.56. If it is not possible to display this notice prominently on the site, Councilmembers must notify users by including a link from the site to the Public Records notice set out in Exhibit B, notify new users via response to posts, and/or periodically notify existing users via broadcast message.

Under the state Public Records Act, the City is responsible for responding accurately and completely to any public records request including a request for public records on social media maintained by individual Councilmembers. Therefore it is critical that records have been retained according to approved procedures.

Users and visitors to social media sites shall be notified that public disclosure requests must be directed to the City's Public Records Officer pursuant to the City's Public Records Disclosure Policy.

#### **10.0 Open Public Meetings Act Compliance**

Communication between Councilmembers via social media, as with telephone and email, may constitute a "meeting" under the Open Public Meetings Act. For this reason, Councilmembers are strongly discouraged from "friending" other Councilmembers.

In addition, receiving or making comments regarding quasi-judicial matters via social media may violate the Council Policy and Procedure 100-39 (Appearance of Fairness Standards and Procedures- Resolution M-3622). To avoid receiving any constituent comments on quasi-judicial matters that may violate the Appearance of Fairness Doctrine, Councilmembers are strongly encouraged to maintain social media sites with settings that can restrict users ability to post content.

#### **11.0 Content Guidelines**

Users of social media sites who submit comments should be clearly notified that the intended purpose of the site is to serve as a mechanism for informal communication between Councilmembers and the public regarding the topics discussed. If the public is allowed to post comments to a Councilmember's site, the Use Policy set out in Exhibit A must be displayed or made available by hyperlink. Any content removed in compliance with the Use Policy must be retained, including the time, date, and identity of the poster when available. *See above* Records Retention Act Compliance.

To avoid violations of the Use Policy set out in Exhibit A regarding the content submitted to social media sites, Councilmembers are strongly encouraged to maintain social media sites with settings that can restrict users ability to comment.

#### **12.0 Equal Access**

Sites requiring membership or subscription should be avoided. When posting information or soliciting feedback on such a site, always provide an alternate source for the same information or mechanism for feedback on the City's public web site, so that those who are not members of the social media site may have equal access. Sites should use the most open settings possible to allow the public to view content without requiring membership or login.

## **Appendix**

### **General Approach**

Maintain data online as long as possible.

Use retention processes and tools approved by the City's Information Technology Department.

Maintain current documentation of the approved method and schedule for preserving social media content.

Ideally, this process will store data in searchable electronic formats and will store information about transmissions, subscribers, and other metadata associated with the site.

Maintain original appearance and layout of social media site where possible.

Secure usernames and passwords for all sites by not sharing such information and using unique passwords to minimize the potential for cross site hacks and malicious mischief.

Consistently monitor activity and posts. Avoid stale or outdated information, respond to questions or responses, quickly remove inappropriate or spam content.

Notify site visitors that correspondence posted to a Councilmember's social media site will be considered public records and may be released per Chapter 42.56 RCW.

Notify visitors that individual Councilmember social media sites are not intended to be used to conduct official city business and any public records request must be made with the City's Public Records Officer.

### **Special Notes about text messaging, ~~and~~ cellular phone and electronic tablet devices:**

Regardless of whether the device used is paid or reimbursed by public funds, business conducted in the official capacity as a Councilmember is a public record. Care should be taken to ensure that records created are maintained and can be provided if requested. Know your device's capabilities and devise a strategy for archiving texts, call logs, and other communications.

Use of electronic devices for real-time communication between Councilmembers during Council meetings is discouraged. At the discretion of the Council, certain types of devices or use may be banned or limited. Each Councilmember is issued an electronic tablet device which is intended to facilitate the conduct of City business, including for use during Council meetings for accessing informational materials pertaining to the agenda items scheduled for discussion or action at the meeting. All content and use of these devices shall comply with Council Policies and Procedures, City ordinances and administrative rules, and the Washington State law regulating elected officials.

### **Video Posts**



Videos posted by Councilmembers are likely to be of historical interest and archival value, as well as being public records. Consult with the City Manager and Public Records Officer regarding storage method and format of these videos so that they can be provided in response to public records requests and later transferred to an archival video collection. Keep a record of which videos were posted, including dates and host site.

#### **Exhibit A**

The following content will be removed from this site: (1) comments not related to the topics for discussion; (2) comments in support of or opposition to political campaigns or ballot measures; (3) profane language; (4) discriminatory comments; (5) solicitations of commerce; (6) sexual content or links to sexual content; (7) encouragement of illegal activity; (8) information that may tend to compromise the safety or security of the public; and (9) content that violates a legal ownership interest of any party.

#### **Exhibit B**

All comments or other content posted to this site may be considered public records subject to public disclosure under the Washington State Public Records Act (RCW 42.56).