

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Clerk		1/28		2/28/95	Council
Division Head:					
Dept. Head:					
Prosecutor:	DG	3/6/95			
Purchasing/Budget:					
Executive:					

**SUBJECT:**

Resolution endorsing the Whatcom County Council Member Handbook of Office and Operating Policies.

**ATTACHMENTS:**

Resolution and Handbook

**SUMMARY STATEMENT:**

*Please complete sections of box as appropriate & explain the item below.*

Related County contract #:	Should Clerk schedule a hearing? NO / / YES / / Requested date:
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The Handbook is a compilation of existing Council Office policies and practices. The policies included in the Handbook apply to the Council Office staff only. The Handbook is prepared by the Clerk of the Council, but for political and practical reasons Council endorsement is sought.

**CLERK'S RECOMMENDED MOTION (for final action):**

Suggested motion: "I move that we approve of the resolution."

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

2/28/95: Approved

1 RESOLUTION NO. 95-018

2 ENDORSING THE WHATCOM COUNTY COUNCIL

3 MEMBER HANDBOOK OF OFFICE AND OPERATING POLICIES

4 WHEREAS, the Council Office operates under a number of internal policies and  
5 procedures prepared by the Clerk of the Council, in consultation with Administrative  
6 staff and Council Members as appropriate, and shared with Council Members when  
7 necessary or requested; and

8 WHEREAS, the office and operating policies are hereby compiled in one  
9 document titled the Whatcom County Council Member Handbook of Office and  
10 Operating Policies, and dated February 28, 1995; and

11 WHEREAS, the Handbook is intended to apply to the Council Office only (and  
12 to other Council employees) and is not intended to provide policy direction for any other  
13 County departments; and

14 WHEREAS, the Handbook is a public document;

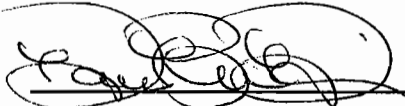
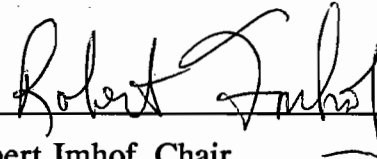
15 NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that  
16 the Council endorses the content of the Whatcom County Council Member Handbook of  
17 Office and Operating Policies, dated February 28, 1995; and

1 BE IT FURTHER RESOLVED that the Clerk of the Council will provide  
2 Council Members with an opportunity to propose revisions to the Handbook at least  
3 every two years; and

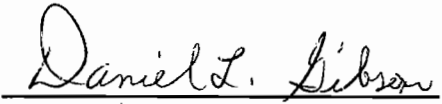
4 BE IT FURTHER RESOLVED that at any time the Council may direct the  
5 Clerk of the Council to include certain other policies and procedures provided that the  
6 Council sets forth its wishes in resolution form.

7 APPROVED this 28 day of February 1995.

8 WHATCOM COUNTY COUNCIL  
9 ATTEST: WHATCOM COUNTY, WASHINGTON

10  ACTING CLERK   
11 Ramona Reeves, Council Clerk Robert Imhof, Chair

12 APPROVED as to form:

13   
14 Civil Deputy Pros. Atty.

*Whatcom County*  
*Council*  
*Member*  
*Handbook*  
*of*  
*Office and*  
*Operating Policies*

February 28, 1995

**Whatcom County Council  
Member Handbook  
of  
Office and Operating Policies**

**Adopted by Council Resolution 95-\_\_\_\_  
on February 28, 1995**

**Prepared by Ramona Reeves, Clerk of the Council  
Winter 1994-1995**



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## Introduction

The Handbook is prepared and updated by the Clerk of the Council and endorsed by Council Resolution 95-\_\_\_\_ (filed under AB95-\_\_\_\_). Any member of the public requesting a copy of the Handbook will be provided one copy at no charge. The Handbook is available for public inspection during regular office hours in the Whatcom County Council Office.

The County Council operates under rules of procedure as set forth in the Whatcom County Home Rule Charter and Whatcom County Code Section 2.02. This Whatcom County Council Member Handbook is a policy document that serves as a guide for new and existing Council Members. The Handbook also sets broad administrative policies for the Council Office that Council staff can use as a basis for formulating its own procedures.

## Administrative Staff, Requests Of

*The Council agrees to abide by this policy statement, which was prepared by the County Executive's staff in January 1994:*

"The Executive Office gives a high priority to requests received from the Whatcom County Council. To ensure the best service, the Executive asks that requests be submitted in writing and that adequate time be allowed for a response. It is helpful to know if there is a specific deadline for responding. The Council or Committee Chairs should be responsible for forwarding requests relating to actions by the entire Council or a Committee of the Council. This helps give the administration clear direction when setting policies, guidelines, work programs, etc., as agreed on by the Council or its Committees, and distinguishes work requested by individual Councilmembers (sic) on personal interest items.

"All requests for information, reports, items to be brought forward, action of any type and attendance by administrative staff at any Council committee or full Council meeting must be submitted to the Executive Office for handling. This routing is necessary, not to interfere with the Council, but as a way of monitoring requests being made of staff and demands on staff time, and also to direct specific requests to the staff person in charge. The Council is not always aware of other demands being made on staff, or how certain issues are being handled internally.

"An exception to routing matters through the Executive Office would be planning issues which are already in progress and under the legislative body's jurisdiction, or items to those departments headed by elected officials.

"However, all departments' supplemental budget requests should be routed through the Executive Office, including those submitted by elected officials. Section 6.71 of the Home Rule Charter directs, *"The annual budget ordinance shall include contingency funds which shall not be expended unless the County Executive certifies in writing that sufficient funds are available and the County Council adopts an additional appropriation ordinance after being requested to do so by the Executive."* The Executive Office will review and submit approved supplemental budget requests by ordinance on an "as needed" basis to the Council for consideration.

"When setting agendas, please be sure to have confirmation from the Executive Office before publishing an agenda item which involves attendance or reports by administrative/departmental staff. This will avoid embarrassing situations at public meetings because the staff or documents were not available, and will be considerate to members of the public who might attend the meeting expecting the matter to be discussed.

"If you need documents that are public information, you may contact the department directly without seeking approval of the Executive Office. If the request will involve a great deal of staff time, or the documents are not readily available (in archives, storage, etc.), the staff will so advise you and then may request that the Executive authorize filling the request. The Executive reviews and prioritizes such requests taking into consideration the heavy staff workload and other projects which must be accomplished.

"In general, the Executive and her staff are willing to assist you in any way possible."

## Agendas

**Item  
Scheduling**

All agenda items must be scheduled through the Clerk of the Council. Council Members, civil deputy prosecutors, or other Council staff members must use a scheduling form provided by the Clerk and should seek the consent of the Council Chair before scheduling items with the Clerk, unless such approval is not required under other existing rules of Council procedure.

Agenda items coming from other departments or agencies must be accompanied by an agenda bill and shall be submitted in accordance with the Clerk's agenda bill procedure.

**Agenda  
Preparation**

The Clerk will prepare the agenda in consultation with the Chair. The Council gives the Clerk authority to refuse items not submitted by established deadlines, and to refuse items not submitted in proper form.

**Agenda  
Addenda**

Addenda to the agenda are discouraged by the Council. Items will not be added to the agenda after its publication unless the Chair

determines that an item qualifies as an emergency and immediate Council consideration is necessary. If items are added to the Council agenda they will be published in an "addendum to the agenda," and faxed to all media and the county executive no later than 4 p.m. on the meeting date. Copies will be given to all Council Members.

**Consent  
Agenda**

Please see the separate section on consent agendas.

## Campaigning and Politicking

### **General Information**

State officers or employees may not use or authorize the use of public facilities, directly or indirectly, for assisting in a campaign, promoting a candidate, or promoting/opposing a ballot proposition.

Whatcom County Council Members, County elected officials, and County employees are included in the classification of state officers and employees.

### **Use of Public Facilities for Political Campaign Purposes**

Public facilities may not be used for political campaign purposes. Buildings, offices, warehouses, or any facilities owned and operated by County government are considered to be public facilities.

Experts advise that it is sometimes acceptable to make a political announcement in a public facility, but such announcements should be limited to areas of the facility that any member of the public could use for such an announcement (for example, entrances to public buildings).

### **Supplies**

When doing work for political purposes it is illegal to use state or local government supplies, staff, equipment or facilities to print, mail, or otherwise produce material. This includes, but is not

limited to, copy machines, fax machines, typewriters, mail facilities, office space, vehicles, paper products, and clientele lists of people served by the agency.

**Phones**

State or local government phones and SCAN lines can not be used for campaign purposes or solicitation of funds.

**Cars**

Political material or stickers may not be displayed or carried on or in state or county cars.

**Support of or  
Opposition to  
Ballot  
Propositions**

The Council may take action at an open public meeting to vote on a motion, resolution or ordinance to support or oppose a ballot proposition. However, the meeting notice must include the title and number of the ballot proposition. Council Members and members of the public must be given equal opportunity for expression of opposing views.

Elected officials may verbally support or oppose ballot propositions at an open press conference, or in response to a specific inquiry.

It is inappropriate for petitions for any ballot measure or proposed ballot measure to be circulated or posted in Council facilities or at meetings.

**Employee  
Rights (and  
Wrongs)**

Staff are prohibited from engaging in certain political activities, but they do have certain rights to participate in the political process. For example, no person shall solicit, on state or county property, any contribution to be used for partisan, political purposes. Involuntary contributions by employees are not allowed.

Employees are also expressly forbidden from making statements in

support of ballot propositions or soliciting signatures for the same while on duty.

While off-duty, on their own time, employees may:

vote and express their opinions on all political subjects and candidates;

participate in the management of a partisan political campaign;

hold any political party office;

campaign for any candidate or ballot proposition;

wear lapel buttons;

display campaign stickers on their private automobiles;

distribute candidate's materials;

speak before groups on a candidate's behalf;

help manage a political campaign;

solicit and/or make voluntary campaign contributions for any candidate or cause;

and otherwise promote a candidate of choice or any ballot proposition.

While on-duty, employees may respond to inquiries about political campaigns by providing routine factual information such as the address of the candidate and his/her staff.

**Sources**

This information was compiled from several sources: research by the Clerk of the Council into the Revised Code of Washington and the Washington Administrative Code; Whatcom County Prosecutor's office; and the Washington State Public Disclosure Commission.

## Code of Ethics for Council Members

### **The Unwritten Code**

Following this section you will an excerpt from an April 1981 article in *State Legislatures* by Carl F. Dodge, called "The Unwritten Code of a State Legislature".

The article set out the unofficial rules of civility and fairness for legislators. While these rules are not law, the guiding principles they espouse are worthy of note. As the article states: "Legislatures are adversary forums where strong disagreements flourish. The trick is to disagree without being disagreeable."

### **Appearance of Fairness**

Council Members are subject to the State Appearance of Fairness Doctrine. The Clerk will provide a copy to Council Members at their orientation retreat. If Council Members have questions about interpretations of the law, they should contact the Prosecutor's Office.

New laws were enacted by the State Legislature and took effect in June 1994 that impacted many sections of State law. Ethics in public service, electronic access to public disclosure documents, local government whistle-blower protection, and local government elections all were addressed. Again,

contact the Prosecutor's Office for specific information (copies of the laws are available from the Clerk as well, but she cannot give legal advice).

**Conflict of Interest**

Council Members also are subject to conflict of interests statutes. The Clerk has some limited information on this topic available (a memo from the Prosecutor explaining why Council Members can't bid at County surplus auctions, for example), but the best source and guide will be the Prosecutor's Office.

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*Excerpted From*

## The Unwritten Code

*by Carl F. Dodge*

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Legislatures are adversary forums where strong disagreements flourish. The trick is to disagree without being disagreeable. Bear in mind that every legislator is a winner -- having won a vote of confidence from his or her constituents -- and is entitled to make some contribution to the legislative process. Bear in mind also that all legislators have two constituencies -- the district and the legislature itself -- and must take into consideration the relative impact of their decisions on these two constituencies. Most important, bear in mind that the legislature is a very human institution where the full range of human emotions flourishes, and it is important to control your emotions.

Most legislators who remain in the institution for any length of time understand these points and act accordingly. To accomplish their common objectives, legislators over the years have developed an unwritten code of etiquette -- sometimes called legislative norms -- which is meant to insure the peaceful co-existence of adversaries. These norms

are widely shared in legislative bodies because they are drawn from experience; they reflect a practical understanding of the conduct needed to maintain tolerable working relationships among strong-minded people. If legislators could not get along with each other, their effectiveness would be de-

stroyed. At worst this could prove to be a fatal disservice to the legislature as an institution. At best it is a disservice to the voters who hope for better levels of legislative performance.

The most important norms, listed alphabetically, are as follows:

□ *Apprenticeship.* As a freshman legislator, be restrained about bill introduction, floor debate (particularly if you are unfamiliar with the subject), and demands upon other legislators. Accept that you don't know it all and must go through the same learning process as all others who have passed this way before. Remember that you must prove yourself as a committee member before you will be supported as chairman.

□ *Gracefulness in defeat.* To accept defeat gracefully is to demonstrate real character and class. This isn't easy to do, but if you are able to put defeat behind you as part of the day's work, it demonstrates that you have control of yourself. Some people are never able to do this. I have seen many former legis-

lators who came in with excellent backgrounds and qualifications, yet fell short because they never learned how to accept defeat. If rebuffed by a committee or on the floor, they considered it a personal affront. They lacked something of the class necessary to be an outstanding legislator.

□ *Honoring commitments.* One of the worst things you can do is make a commitment and then do a turnabout. Nobody forgets the double cross. If you feel you have made a mistake, then ask to be released. I have found that the safest course is not to make a commitment until you are sure about your final judgment.

□ *Institutional patriotism.* Respect and honor the system of which you have chosen to become a part. Have faith in its ability to perform, and be proud of it. Be completely dedicated and develop a team spirit in meeting goals. The more legislators are of one mind and heart, the greater the strength, vitality and performance of the institution.

During the last political campaign in my state -- and, no doubt, in many others -- some incumbent legislators were running against the legislature, saying it wouldn't do this or couldn't do that. Don't be guilty of this kind of talk or thought. How can our citizens have faith in the legislature if you, who are a part of it, do not have faith in it and in yourself?

□ *Integrity and honesty.* Support

strong moral and spiritual values in a consistent way. By so doing you reflect those noble qualities that must be maintained if the institution is to have legitimacy.

Be honest in your representations to others. No one respects a double-talker. Be open and above board about your considered opinions on legislation and the reasons you feel you must take certain positions. Other legislators understand and respect that approach. They do not condone deceit.

None of this is meant to imply that you are obligated or expected to reveal your strategies in the furtherance of your own causes. No one else does; as the saying goes, everyone is his own fox. But the effectiveness of a legislator is enhanced immeasurably if he is recognized as having integrity and honesty.

□ *Interpersonal courtesy.* Observe the rules of civility with all members of the body. Resist the temptation to criticize other legislators. Always remember that at times you need everybody's help and support. Do not question the motives of legislators who oppose your position or vote against you. Above all, do not conclude automatically that some legislator opposed you as a personal matter. This is seldom the case. The legislator who fought you bitterly on an issue yesterday will often be your strong ally on another issue tomorrow.

Never question other legislators about the reasons for their votes. If you

are unable to deduce the reasons, simply assume that they had their reasons just as you have yours -- even though you know your reasons are those of a statesman and theirs aren't.

□ *Keeping confidences.* Be flattered that other people trust you enough to reveal a confidence. It would be foolish to violate those personal confidences and lose the trust of those who confide in you.

□ *Reciprocity.* Support other legislators when you can do so without compromising your own position. Also support the work of the committees in your house when you can and when the work product is good enough to warrant support. You cannot expect other legislators to support you or your committee if you are unwilling to lend your support when the immediate, contrary concerns of your constituents are not involved and when you can agree philosophically. This kind of cooperative effort is necessary to accomplish common objectives.

Be selective about the situations in which you make an unpopular stand on principle. There are times when you must do so; there are other times when you must come down on the side of support for a common objective. Distinguishing between the two involves a value judgment about when it is necessary to consider the interests of your "second constituency" -- the legislative body in which you serve.

□ *Self-restraint.* The system cannot

operate correctly in an atmosphere of antagonism, uncontrolled emotion and back-biting. Experienced legislators know this, and they attach considerable importance to self-discipline.

No less important is the ability to summon up a sense of humor when situations seem to be too heavy or disturbing. Sometimes the days seem very long and the confrontations very bitter. It's amazing how a pervasive atmosphere of antagonism or despair can be swept away by a little timely levity. These moments help everyone to regain perspective and relieve tension. Shakespeare said it well: "The little foolery that wise men have makes a great show."

□ *Willingness to work and cooperate.* The workload of a legislature is enormous. Those who express a willingness to do their share or more are appreciated by committee chairmen and the legislature without regard to party. This sense of appreciation places the legislator in a position to get the support of other legislators when he needs it. Conversely, the shirker and the freeloader evoke no feeling of generosity among those who have to shoulder additional burdens.

These words of advice can be applied in any of the roles a legislator may be called upon to play. For example, some legislators are leaders and some are followers. Many of today's new legislators will become leaders in future

years.

And the first, though not the only, quality that distinguishes the good leader is adherence to the legislative norms already discussed; ultimately, legislators gain leadership stature because of respect.

No one is a leader in all instances. And even those who never become leaders play a variety of essential legislative roles, depending on what they perceive their legislative missions to be. The important thing is that all of them are at their most effective when they observe the norms of legislative behavior.

Abiding by these norms gradually produces and allows you to maintain a sense of composure. When you are able to do that, you will have won the battle with yourself. This victory will permit you to develop an inner well-being about your role in the system and about your relationships with your peers. Having done that, you are in a position to gain the respect of others -- and to enjoy your legislative trip every step of the way.

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Carl F. Dodge, who served 21 years in the Nevada State Senate, retired in 1980. The foregoing comments appeared in an article published in the April 1981 issue of *State Legislatures*.

## Consent Agenda

### **Purpose and Definition**

The consent agenda is a method by which the Whatcom County Council can vote to approve a whole group of routine items with one motion and one vote.

Bid awards, requests for authorization, contract awards, boards/commissions appointments and resolutions will be included on a consent agenda because a separate roll-call vote is not required.

The Whatcom County Council began using a consent agenda in 1994 to help meetings run more efficiently. Consent agenda is scheduled after the "Open Session" portion of Council meetings, so that citizens or Administrative staff may request that an item be removed from the consent agenda and considered separately.

### **Introduction Items**

Introduction items (those appearing on an agenda for paper-shuffling, public notice purposes, and for which action is scheduled at a later date) are always on a separate consent agenda at the meeting's end.

### **Ordinances and Actions Carrying the**

Ordinances will never be included in a consent agenda because they are rarely "routine" and they always require a roll-

**Force of Law**

call vote. The same is true for resolutions of the Point Roberts Transportation Benefit Area Board, the Flood Control Zone District Board, etc. The resolutions of those districts act as ordinances and carry the force of law.

**Committee Review of Consent Agenda Items**

It is the responsibility of each Council Member to study information provided about each consent agenda item prior to Council action. Items will be reviewed in detail during one of the Council's standing committee meetings prior to Council action.

**Minutes**

Meeting minutes that require Council approval will be included on the consent agenda with no committee review. It is each Council Member's responsibility to review minutes individually, and if questions arise or corrections are needed, the minutes should be removed from the consent agenda and acted upon separately.

**Council Action on Consent Agenda Items**

Items listed on the main agenda under the "Consent Agenda" section may be moved and approved all at once with one motion.

Any Council Member can make this motion at the full Council meeting. Usually several committees will review consent agenda items. Sometimes Finance and Personnel Committee will have reviewed all items. The Council may want to determine that the Finance Committee chair always makes the motion to approve of the consent agenda.

**Removal of Items from the Consent**

An item should be removed from the consent agenda under any of the following conditions:

**Agenda**

If an item is controversial and either the Council, or a member of the public, would like Council to discuss it prior to Council action it should be removed from the consent agenda for separate discussion.

If a Council Member plans to vote against any item on the consent agenda, that item should be removed from the consent agenda prior to a Council vote on the consent agenda.

The request to remove that item would come after the motion for approval, and before the vote on that motion. Here is how that would happen:

Council Member A: "I move that we approve the consent agenda as presented."

*This motion allows the consent agenda to be discussed or considered.*

Council Member B: "Mr. Chair, the Finance Committee would like to have item 3 removed from the consent agenda."

Council Chair: "Okay, that item is removed from the consent agenda. Are there any other deletions? Hearing none, all those in favor of approving the remaining items in the consent agenda say aye ..."  
*(The non-controversial items are dispensed with when the Council votes on A's motion, and now Council can discuss the item that B mentioned).*

**Council Chair:** "Council Member B, would you please make a motion regarding item number 3, which was removed from the consent agenda?"

*(Technically Council Member B should now make a motion to approve of the item or to do something else with it. Then discussion should take place, and a vote on the motion.)*

## Correspondence Policies

### **Incoming Correspondence**

In the interests of economy, the Council's policy on incoming correspondence is as follows:

The person submitting the document must submit eight copies (one for the official file, one for each Council Member) if he/she wishes the document to be distributed to each Council Member.

If the person submitting a document does not submit eight copies, but wishes for the document to be shared by all Council Members, the policy is that one copy is placed in a common correspondence file which Council Members will share. The Clerk's staff will prepare a list of documents in the correspondence file on a weekly basis, and share that list with Council Members. The correspondence file copy will eventually become the official file copy and may not be removed from the Council Office.

If a person submitting a document wishes for Council staff to copy and distribute the document to Council Members, the Council staff will charge that

person a per-page copying fee as set forth in the Unified Fee Schedule.

**Timing of Document  
Submittal**

The public should be advised, by Council staff and Council Members, that incoming correspondence relating to an item on Council's agenda is most effective when it is received in the Council Office at least one day in advance of a Council meeting. Council Members are generally involved in committee meetings or private consultation with members of the public, staff, or fellow Council Members on meeting days. It may be unlikely that they will have time to review volumes of new materials brought in on a meeting day.

## Council Meeting Conduct

### **Breaks During Meetings**

For the benefit of Council Members and for staff members, the Chair will routinely call for five-minute recesses at approximately two-hour intervals during Council meetings. However, should all Council Members agree, the need for a recess may be waived.

### **Open Session**

Open session is a portion of a Council meeting at which members of the public may address any item, unless that item is scheduled for a public hearing later that same evening.

The Chair may limit the amount of time for open session, and may limit the amount of time per speaker. However, the Chair will attempt to ensure that all speakers are given the opportunity to speak for the same amount of time.

There will be an "open session" scheduled at the start of at least two regularly-scheduled Council meetings every month. The Chair may determine that "open session" will be scheduled for additional meetings.

### **Pre-Meeting Review**

The Clerk may request that the Chair schedule a pre-meeting

procedural review prior to a Council meeting. The purpose of this review will be to discuss procedural matters only, offer suggestions for correct parliamentary procedure, and to advise the Council of procedural pitfalls that may arise during the meeting. Substantive discussion of the issues is not permitted. These meetings will be recorded and open to the public.

**Role of the Chair  
and the Clerk During  
Meetings**

The Council Chair and the Clerk of the Council function as a team during Council meetings. Some of their respective roles and responsibilities follow; others may be determined by consulting other Council policies or parliamentary procedure:

The Chair will state/announce each item, and should request a motion before any discussion of an item begins.

The Chair will re-state the motion for the Clerk, who will then inconspicuously acknowledge that he/she has the motion on record.

The Chair will ensure that every amendment, no matter how small or minor, is made by motion and that action (voting or withdrawing) takes place. Actions by consensus are technically inappropriate. Motions are required.

If a parliamentary or procedural question arises and is directed to the Clerk, the Clerk will look to the Chair for permission to proceed before responding.

The Clerk will not call roll until asked to do so by the Chair.

The Clerk, if he/she has a question or comment, will seek to be recognized by the Chair before speaking.

If the Clerk notices an error that requires an immediate "quick fix" he/she will try to bring it to the Chair's attention in a non-threatening nor condemning manner. For example, if no motion was made and the Chair calls for a vote:

Good: CLERK: Excuse me, Mr. Chair, I'm sorry but I missed the motion; would you please restate it for me?

CHAIR: (Can choose to "buffalo" through and pretend a motion was made, if he so desires).

Bad: CLERK: Hey, wait a minute! You guys messed up!

### **Meeting Scheduling**

The Council will pass a resolution establishing regular meeting dates for the coming year every December or January. It is the Council's policy to provide for interruptions in the meeting schedule in August and December in order for Council Members to plan holidays without missing regularly-scheduled Council meetings.

### **Special Meetings**

Special meetings of the County Council or of its committees may be called at any time, provided that written notice is

provided to members of the media on the Council Office notification list at least 24 hours prior to the meeting.

The Chair, in consultation with the Clerk (for scheduling purposes), has the authority to schedule special meetings.

Special meetings of a Council standing committee may be called by the chair of the standing committee, provided that the committee chair has the approval of the Council chair and has consulted with the Clerk for scheduling purposes.

#### **Retreats**

Within the first month after the swearing-in of newly-elected Council Members, the Clerk will organize and present an orientation retreat for new and returning Council Members. The Clerk will consult with Council Members in setting the date for the retreat. The Prosecuting Attorney, Hearing Examiner, Budget and Program Analyst, and Executive will be invited to participate. The Clerk will set the agenda and facilitate the meeting.

Every May or June the Council will have a budget retreat, organized by the Budget and Program Analyst, to determine the Council's budget policy and preparation guidelines for the coming year. The Budget and Program Analyst will consult with the Clerk to determine available dates and times.

#### **Budget Review Meetings**

The annual budget review meeting schedule for the Finance and Personnel Committee will be tentatively set by the Finance and Personnel Committee Chair, in consultation with both the Budget and Program Analyst and the Clerk, by mid-August (or at least two months prior to the first budget

review session). Early planning of this schedule will assist the Clerk's staff in reserving rooms and equipment for the meetings, and will lessen the likelihood of conflicts with other Council events.

The schedule need not be finalized nor released to the public or departments until after the executive presents a proposed budget to the Council for review. This will allow for adjustments to be made according to special circumstances surrounding the proposed budget, and according to the needs and wishes of the Finance and Personnel Committee.

## Council Office General Policies

### **Attendance Records**

A record of Council Member attendance at all regular and special Council meetings, and all standing committee meetings, will be maintained by the Clerk of the Council. This record will be open to public inspection during regular office hours in the Council Office.

### **Public Access to Council Office**

The reception desk will be staffed at all times. Guests, no matter who they are, will be asked to wait in the reception area until the person they're visiting comes to get them. It is not a good policy to allow people to wander freely through the offices because they could overhear confidential conversations, interrupt staff from completing their assigned tasks, or accidentally walk off with permanent official files.

### **Public Access to Information**

The general policy of the Council Office is that all records are open to inspection by the public during regular business hours, with only a few exceptions: records for individual Council personnel, access to private computer files created by employees, and confidential materials.

The Council staff may ask that citizens allow time for reason-

able research and retrieval of information. No official files may leave the Council Office unless under the supervision of the Clerk or her designee.

The Council staff may require that citizens view the files in a secure area in order to ensure that documents remain intact and are not removed from the office.

Any applicable fees for copying, etc. are included in the Unified Fee Schedule.

## Evaluation of Council Employees

At least once each year the full Council will conduct an evaluation of the Hearing Examiner, Budget and Program Analyst, and Clerk of the Council. These evaluations will take place in executive session.

The Clerk of the Council will conduct annual evaluations of all clerical staff members who work under her direction.

## Expenses/Travel Reimbursement

### **Claims Submitted by Council Mem- bers**

Council Members may submit claims for reimbursement of expenses and travel up to the amount apportioned for them during a calendar year. If expenses are incurred, claims for reimbursement must be submitted on a quarterly basis, or sooner.

The Clerk will schedule all such claims for review, by consent agenda and Finance and Personnel Committee, at the next available Council meeting. A copy of the expense claim will be included in the Council's packet for that meeting.

After approval by the Council of the expense claim, the Clerk will submit it to Superior Court for review and signature of the Presiding Judge. Upon receipt of that signature, the claim will be processed.

### **Allowable Expenses**

Executive Order 93-08 set the County's travel policy, effective January 1, 1994. County Council members' travel and claims for reimbursement must comply with this policy, or whatever policy is in place for all County employees.

In summary, the policy applies to travel "while performing assigned duties and conducting official County business" and asks employees and officials to exercise "prudent judgment" while on official County business. In this section the word "employee" applies to Council Members and to staff. Highlights of the policy follow:

Meals for out-of-County travel are being reimbursed on a per diem schedule as follows:

Breakfast	\$ 8.00
Lunch	\$10.00
Dinner	\$18.00

Receipts are not required for meals. If a meal costs less than the per diem amount, employees are urged to submit claims for the lower amount.

Employees may be reimbursed the actual costs of banquets or dinner/luncheon meetings when attending as an official representative of the county. This does not apply to functions of a partisan nature (for example, if a Council Member is invited to participate only on the basis of political party membership).

Lodging will be reimbursed at the actual rate paid not to exceed \$80.00 per night. Higher rates may be approved in advance if the less expensive lodging is not available. Employees staying overnight in a private residence, RV, etc. will receive a non-commercial lodging allowance of \$25.00 per night. Receipts are not required.

Any employee required to begin travel status prior to 6 a.m. shall be entitled to \$8.00, or if an employee is out of County two or more hours (exclusive of eating time) beyond the end of his/her regularly scheduled work shift, he/she shall be entitled to a meal allowance of \$18.00. Receipts are not required.

There is no meal allowance for lunch while on non-overnight in-County travel except when a County employee is a scheduled speaker or presenter representing the County at a conference or meeting and is required to pay for a meal.

Mileage reimbursement for the use of privately-owned vehicles will be 29 cents per mile.

When Council Members travel directly from or return to their place of residence, they will be reimbursed at the lesser of the actual miles from their residence or from the Courthouse.

**Reimbursable expenses are:**

Taxi fares, car rentals, parking fees, ferry tolls, and private car mileage;

Registration fees for conventions, conferences, training seminars, and official meetings;

Meals at the per diem rate and rental of lodgings;

Incidental supplies and materials needed at train-

ing seminars or meetings while on travel status.

Employees may be reimbursed for a five-minute telephone call home each night while on travel status.

Receipts are required except for the following:

meals reimbursed at the per diem rate;

day parking fees;

transit fares;

telephone calls when it is necessary to use a coin-

box telephone or where the call cannot be

charged to the County;

expenses under \$5.00.

A list of non-reimbursable items is included in the Executive Order.

**Travel Arrangements Made by Staff**

Council Members who want staff to make travel arrangements for them need to fill out a request form in the Council Office. The form asks for basic information and is intended to assist staff in attending to all aspects of the arrangements in an efficient manner.

## Ordinances and Resolutions

### **Amendments to Ordinances and Resolutions**

Ordinances and resolutions (and all other documents) under consideration by the Council may be amended in only two ways:

at a full Council meeting, by individual motions to amend (small word changes, phrase changes, etc.); or

at a full Council meeting, by presenting a whole slate of amendments in the form of a "substitute" document possible consideration (the Council must vote to accept the substitute prior to consideration; it is not automatically accepted).

A document is considered to be "under consideration" by the Council if it has been introduced on a Council agenda and/or if it is scheduled to be discussed in a committee or Council meeting.

### **Who can amend a document?**

There is a distinction to be made between who can amend a document and who can propose amendments to a document.

Amendments to any document under consideration by the County Council may be made only by a majority vote of the full Council at a properly-advertised public meeting.

Committees of the Council do not have the authority to make amendments to documents under consideration by the Council. A committee consists of only three Council members, which is not a majority of the full Council. A committee does not have the authority to impose its will on the full Council.

**Who can propose amendments?**

A Council committee can recommend that the Council adopt amendments to a document. This recommendation of the committee is usually conveyed by the chair of that committee.

An individual Council member may propose that the Council adopt amendments to a document.

Committees, staff members, and members of the public may propose amendments or substitute documents to the Council. The Council may or may not take the amendments or substitute documents under consideration.

**How are Amendments Proposed?**

Before making any proposals to amend a document, a motion to approve of a document (such as a resolution or ordinance) must be made by a Council Member. The Chair then opens the floor to motions to amend that document.

Each amendment should be presented as a separate motion for consideration by the Council.

Amendments do not need to be presented to the full Council in writing prior to the meeting. However, as a courtesy to Council Members and the Clerk, it is advised that each amendment be written out separately in advance of the meeting by the person proposing the amendment.

Amendments should be made one by one, on an individual basis, for the greatest clarity and fairness to other Council Members, the public and the record.

**Substitute Resolutions or Ordinances**

When amendments are numerous they may be incorporated into a substitute resolution or ordinance. Substitute resolutions or ordinances should be prepared in time to be included in the Council's meeting packet. Substitute ordinances or resolutions prepared after the Council packet may run the risk of not being considered by the Council until its next meeting.

Both the substitute document and the original document will be included in the packet until the Council, at a full meeting, has voted to accept the substitute document.

Substitute ordinances or resolutions prepared on the same day as the Council meeting at which they are to be considered should not receive Council consideration until the next meeting. The Council may vote to consider the substitute upon short notice, if it desires to do so.

The Council can not be forced to consider the substitute resolution or ordinance. The person proposing the substitute resolution or ordinance must make a motion requesting

that the Council accept the substitute resolution or ordinance for consideration. If that motion carries, the Council will work from the substitute document. If the motion fails the Council will work from the original document.

## Standing Committees of the Council

**Defined**                      Whatcom County Code Chapter 2.02 sets out the number and name of standing committees of the County Council. Standing committees are sub-committees of the County Council assigned to do in-depth review of certain issues on behalf of the Council.

**Authority**                     Standing committees have a maximum of three members. This means that committees may only make recommendations to the full Council for action; the committee's actions can never supersede or overrule actions of the full Council.

For example, a committee does not have the power to:

amend documents slated for Council consideration;

table an item indefinitely (which would prevent it from ever receiving review by the full Council);

have public hearings on matters in the place of a hearing before the full Council, if there is a legal requirement for such a hearing (under the law a legally-required Council hearing must be scheduled for a full Council meeting, to

ensure that a quorum will be present and able to take action if needed);

approve or deny a bid award, contract, resolution, ordinance or any other matter on the Council's behalf (even a 3-0 vote of the committee can not substitute for a majority vote of the full Council, which is required for approval or denial of most matters).

A committee may make recommendations to the Council, as follows:

recommend that the Council amend documents slated for Council consideration;

recommend that the Council accept and take under consideration a substitute ordinance or resolution;

recommend that the Council table an item indefinitely or to a date certain;

recommend that the Council approve or deny a bid award, contract, resolution, ordinance or any other matter;

recommend that the Council schedule a public hearing on an item, or postpone the item to a later date.

**Committee  
Meeting  
Schedules**

Committee meetings will regularly take place prior to regular meetings, at the discretion of the Council and Committee chairs. Meeting times will be set at the beginning of each year. Meeting times may be altered only upon agreement of the committee chair,

clerk and Council chair.

**Items Reviewed by Committees**

Following is a summary of various issues requiring review by standing committees. The Clerk will automatically assign matters to committees using her best judgment and guidance provided in Whatcom County Code 2.02, unless directed otherwise by the Council (at a full Council meeting), the committee chair, or the Council chair.

**Role of the Committee Chair**

The committee chair is elected by members of the committee at the first meeting following reorganization of the Council.

Generally it is the committee chair's responsibility to present reports and recommendations of the committee to the full Council. The committee chair is not required to present minority reports.

**Committee of the Whole**

The Council may, from time to time, meet as a Committee of the Whole. This means the whole Council will meet, but only in the guise of a committee; formal action by the Council may not take place at Committee of the Whole meetings. The Committee must make recommendations to the full Council for formal action.

Why the distinction? Because when a meeting is advertised as a Committee of the Whole the public and press are under the assumption that no action will take place, that it is merely a work session. Also, Council Member attendance is not mandatory at Committee of the Whole meetings; therefore formal action should be scheduled for regularly-scheduled full Council meetings to ensure full participation of the Council.

Items that may be scheduled for Committee of the Whole include:

interviews of candidates for the office of Clerk, Budget and Program Analyst, and Hearing Examiner (these may take place in executive session, closed to the public, under RCW 42.30.110 (g));

reviewing the performance of a public employee (with certain limitations), or to receive and evaluate complaints or charges brought against a public employee (with certain limitations) (see RCW 42.30.110 (f) and (g));

discussing items in executive session, as permitted by RCW 42.30;

work sessions on any issues before the County Council;

Council retreats.

Appendix:

## Clerk of the Council's Internal Policies

The membership of the County Council changes every two years. The Chairmanship of the Council can change annually. In order to provide continuity of purpose, professional behavior, and procedures, certain Council Office administrative policies will be established by the Clerk of the Council. Such internal administrative policies will include, but not be limited to, the following (please note that all references to "staff" refer only to staff members under the Clerk's direction):

personnel record maintenance and updating, payroll issues, leave policies;

training programs for staff, development/updating of training manual, and instruction for staff;

codes of conduct, ethics and professionalism for staff;

office policies and procedures relating to correspondence, mail, Council packets, and filing systems;

agenda bill preparation and filing guidelines;

ordinance and resolution preparation guidelines;

procedural or processing guides for use by Council Members, staff and the public;

dispute resolution among staff members;

orientation of new Council Members;

organization of retreats and other special training events for Council Members;

office accounting, office budget management and office budget preparation; and

developing, updating, and submitting for Council endorsement the Council Member handbook every two years (usually at the end of even numbered years, or at the beginning of odd numbered years, in order for a Council with at least one year's experience to consider the endorsement).