



POLICY MANUAL
OF THE
BOARD OF
COMMISSIONERS
OF THE
FALL CITY METROPOLITAN
PARK DISTRICT

**FALL CITY METROPOLITAN PARK DISTRICT
BOARD OF COMMISSIONERS POLICY MANUAL**

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FALL CITY METROPOLITAN PARK DISTRICT BOARD OF COMMISSIONERS POLICY MANUAL

PART 1 - GENERAL RULES

1 – 1: Purpose. The purpose of this Policy Manual is to provide guidelines for the conduct of the Board of Commissioners of the Metropolitan Park District.

1 – 2: Suspension of Rules. Any of the rules not required by law may be suspended by a majority vote of the Board of Commissioners.

1 – 3: Alteration, Amendment or Repeal. Any rule may be altered, amended or repealed at a duly noticed meeting by majority vote of the Board.

PART 2 – BASIS OF AUTHORITY

2 – 1: Authority of the Board. The Board of Commissioners is the governing authority of the District. An individual Commissioner may not commit the District to any policy, act or expenditure without the express authority of the Board.

2 – 2: Representation. The Board of Commissioners as a whole should not represent any specific segment of the community, but rather represent and act for the community as a whole.

2 – 3: Governing Laws. The Board of Commissioners shall comply with and be guided by all applicable state laws and regulations as well as federal laws and regulations.

PART 3 – BOARD STRUCTURE

3 – 1: Officers. During the regular meeting of December of each year, the Board shall select a Chair and Clerk to act for the subsequent 12 months. The newly elected officials shall be seated at the regular meeting of January and shall serve for twelve months. Staff shall act as the recording secretary.

3 – 2: President. The President shall perform the duties of presiding officer at all meetings of the Board of Commissioners and shall carry out the resolution and order of the Board of Commissioners and perform such other duties as the Board of Commissioners may prescribe.

3 – 3: Clerk. When the President resigns, is unseated or is absent or disabled, the Clerk shall perform the duties of the President. When the President disqualifies himself/herself from participating in an agenda item or declares himself to be partisan in the debate on any item, the Clerk shall perform the duties of the presiding officer.

3 – 4: Committees. The Board may create standing or ad-hoc committees at its discretion. Committee recommendations shall be advisory to the Board and can not commit the District to any policy, act or expenditure nor may any committee direct staff to perform specific duties. The Board shall schedule committee meetings as deemed necessary. Agenda items may be generated through staff, committee members or by Board direction.

3 – 5: Board Vacancy. In the event a board member is no longer willing and/or able to serve on the board, the vacancy so created may be filled by an action of the board.

To fill a vacancy, board members may nominate any member of the community of legal age and dwelling within the boundaries of the Fall City Metropolitan Parks District. A vote selecting a new board member must be made at a public meeting of the board at a meeting succeeding the meeting at which the nomination was made. In the event there is a tie vote between two or more nominees, the board president will appoint the new commissioner from among those receiving the most votes.

A new board member selected to fill a vacancy will serve the remainder of the term of the board member who he/she has replaced.

PART 4 – CODE OF ETHICS

4 – 1: Objective. The purpose of the Code of Ethics is to strengthen the quality of government and promote and demand the highest standards of ethics from its elected officials. It is the intention that this code be liberally construed to accomplish its purpose of protecting the public interest against decisions that are affected by undue influence or conflict of interest. This code is supplemental to the Revised Code of Washington (RCW) 42.23 – Code of Ethics for Municipal Officers. The Board of Commissioners is committed to providing excellence in leadership which results in the provision of the highest quality services and representation to Fall City Metropolitan Park District constituents. In order to provide excellent leadership, the Board adopts the following guidelines:

4 – 1A Respect: The dignity, style values and opinions of each Commissioner shall be respected. Commissioners shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board Meetings.

4 – 1B Listening: Responsive and attentive listening to Commissioners, Staff and constituents is encouraged.

4 – 1C Representation: The needs and desires of the District’s constituents should be the priority of the Board of Commissioners.

4 – 1D Responsibility: The primary responsibility of the Board of Commissioners is the formulation and evaluation of policy.

4 – 1F Issue Orientation: Commissioners should commit themselves to focusing on issues. The presentation of the opinions of others should be encouraged.

4 – 1G Openness: Different viewpoints are healthy in the decision making process. Individuals have the right to disagree with ideas and opinions. Once the Board of Commissioners takes action, Commissioners should work collaboratively toward the implementation of such actions.

4 – 2: Information. Commissioners should practice the following procedures:

4 – 2A Clarification: In seeking clarification on informational and policy items, Commissioners should directly approach the President of the Board to obtain information needed to upgrade, supplement or enhance their knowledge to improve legislative decision making.

4 – 2B Complaints: Citizen complaints made to Board members should be referred to the President of the Board.

4 – 2C Safety: All safety concerns should be reported to the President immediately. The President is empowered to take such steps as may be necessary to eliminate a dangerous condition without delay.

4 – 2D Policy: Clarification for administrative policy related to concerns, involving personnel, legal action, land acquisition, finance, and programming should be directed to the President of the Board. The President of the Board shall consult with appropriate authority to obtain clarity on policy questions.

4 – 3: Interaction with Staff.

4 – 3A: Approached by Staff: When approached by District personnel concerning District policy, Commissioners need to be as helpful as possible with the understanding that the commissioner speaks only for him/her self and not for the board as a whole unless authorized through a board action.

4 – 3B: Approaching Staff: When a Commissioner wishes to obtain information from an employee of the District, the commissioner needs to be as polite as possible with the understanding that the commissioner speaks only for him/her self and not for the board as a whole unless authorized through a board action.

4 – 4: Team Effort. The smooth working of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

4 – 5: Constituent Requests. When responding to constituents' requests and concerns, Commissioners should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to the responsible personnel. Unless authorized by official board action, individual Commissioners may not conduct negotiations on the District's behalf nor may the Commissioner represent the District or commit the District to any type of action or responsibility unless authorized to do so through a board action.

4 – 6: The Board as a Whole. Commissioners should function as a part of a whole through the use of committees, regular meetings, and special meetings. Issues related to the District should be brought to the attention of the Board as a whole.

4 – 7: Monitoring Progress. Commissioners are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

4 – 8: Preparation. Commissioners shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Commissioners. Information may be requested from staff or exchanged between Commissioners between meetings, within the limits of Washington State Open Public Meetings Act. Commissioners shall be familiar with the Open Public Meetings Act and act within the legal limits of the act at all times.

4 – 9: Questions. Managing a meeting of the Board is the responsibility of the President. Therefore, any Commissioners wishing to pose a question of the board, member of the board, staff or presenter, must first be recognized by the Chair. All comments and questions are to be confined to the matter being discussed at that time.

4 – 10: Minutes. Commissioners may request for inclusion in the minutes brief comments pertinent to the agenda item, but only at the meeting that the item is discussed (including, if desired, a position on abstention or dissenting vote). Official minutes of all meetings shall be Action Minutes. As such, only items, motions and actions are required to be included. A limited amount of comments and/or discussion may be included to help present various points of view.

4 – 13: Conflict of Interest. If any members of the Board conclude that they have a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Board so that they cannot discharge their duties on such Board they shall disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter. Examples of conflicts or potential conflicts of interest include but not necessarily limited to, circumstances where the Elected Official:

4 – 13A Influences the selection or non-selection of the conduct of business between the Department and any entity when the Official has a financial interest.

4 – 13B Solicits for himself or herself or for another, a gift or any other thing of value from the Department or from any person or entity having dealings with the Department; provided, however, that no conflict of interest for the Official shall be deemed to exist with respect to solicitation for campaign contributions required to be reported under Chapter 42.17 RCW or for charitable contributions.

4 – 13C Accepts any retainer, compensation, gift or other thing of value which is contingent upon a specific action or non-actions by the Commission.

note Commissioners not abstaining from an item where a legal conflict of interest exists may be subjecting himself/herself to criminal charges. In addition, the decision of the Board may be determined to be invalid.

4-13B Incorporation of Model Code. The Political Reform Act of 1974 (Government Code Section 8100 et se requires all public agencies to adopt a Conflict of Interest Code, and the Fair Political Practices Commission has enacted a Standard Model Code, found at 2 California Code of Regulations section 18730 (the "Model Code"). The District Board has determined that it is in the best interests of the agency to adopt the Model Code, and hereby incorporates the Model Code any amendments to the Model Code hereafter adopt by the Fair Political Practices Commission. The Model Code as amended from time to time and Appendix "A" attached to these Bylaws (incorporating the Model Code by reference and designating District members and staff in certain disclosure categories) shall constitute the Conflict of Interest Code for the District, and shall become effective upon approval by the Contra Costa County Board of Supervisors pursuant to Government Code sections 82011 and 87303.

4-13C Disclosure Statements. Pursuant to section 4(a) of the Model Code, each designated employee shall file a statement of economic interest disclosing that employee's interest in investments, real property and income designated as reportable under the category to which the employee's position is assigned. A designated employee (as defined in the Model Code) who files a statement under Government Code sections 27200 et sea. Shall also file a copy of such statement with the District Board within thirty (30) days thereafter.

PART 5 – BOARD MEETING PROCEDURES

5 – 1: Regular Meetings. Regular meetings of the Board of Commissioners shall be held on the second Tuesday of each calendar month at 7:00pm in the Fall City Library. The date, time and location of a regular meeting can be adjusted at the direction of the President of the Board.

5 – 2: Special Meetings (Non-emergency). Special meetings of the Board of Commissioners may be called by the President or a Commissioner of the Board.

5-2A Notice: All Commissioners shall be notified of the special meeting and the purpose for which the meeting is being called. Said notification shall be in writing, delivered to them at least 24 hours prior to the meeting.

5-2B Notification: The Board of Commissioners shall comply with all of the requirements of the Open Public Meetings Act for special meetings (RCW 42.30.080) including but not limited to the following:

RCW 42.30.080

A special meeting may be called at any time by the presiding officer of the governing body of a public agency or by a majority of the members of the governing body by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the governing body; and to each local newspaper of general circulation and to each local radio or television station which has on file with the governing body a written request to be notified of such special meeting or of all special meetings. Such notice must be delivered personally, by mail, by fax, or by electronic mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the governing body. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the governing body a written waiver of notice. Such waiver may be given by telegram, by fax, or electronic mail. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

5-2C Agenda: An agenda shall be prepared as specified for the regular Board meetings and shall be delivered with the notice of the special meeting to those specified above.

5-2D New Business: All items of new business included on the agenda must be approved by the President or by a majority of the Board. Only those items listed in the call for the special meeting shall be considered at said meeting.

5-3: Special Meetings (Emergency). In the event of an emergency involving matters upon which prompt action is necessary due to the disruption or threatened immediate disruption of facilities or services provided by the District, the Board of Commissioners may hold an emergency special meeting without complying with the 24 hour notice required above. An emergency situation means disaster which severely impairs public health, safety or both, as determined by the Board President.

5-4: Motion for Recess or Adjournment. Any member of the Board may, at any time, move for a recess or for adjournment of the meeting. Upon the motion being seconded, a vote on said motion for adjournment shall take place without debate. Such a motion shall take precedence over any motion or discussion taking place at that time. Passage of such a motion shall require a vote. The Board of Commissioners may terminate any Board Meeting at any place in the agenda to any time and place specified in the order of adjournment. If a quorum is lacking at any regular or adjourned meeting, the President of the Board may declare the meeting adjourned to a stated time and place.

5-5: Board Member Submitted Agenda Items. Commissioners wishing to place an item(s) on an agenda must submit all materials 3 days in advance of the meeting. Agenda items are to be submitted to the President for review and a determination as to whether each item should be placed on the agenda. If the President does not place an item on the agenda, the submitting Commissioner can take the matter up before the whole Commission, at a regular meeting, and request a vote on whether to place the matter on an agenda.

5-6: Order of Agenda. The President of the Board or a designee shall put together the agenda. The order of the agenda shall be set using the following criteria:

- Standing Items shall be first (Opening, Consent Calendar, presentations, etc.)
- Items of business with the greatest potential of generating public interest.
- Items of business with a lower potential of generating public interest.
- Statements, comments, reports from board members.
- Setting of future meeting dates and agenda items.
- Adjourn.

It is appropriate for the board to rearrange the order of the items of business if it is in the best interest of the proceedings or if there are constituents in attendance to address a specific agenda item. Reordering of the agenda should take place as part of the Standing Items.

The Board may add an item to an agenda if, in the opinion of the majority of the Board, the item is of an urgent or time-sensitive nature. All of the following conditions must be met in order to qualify as urgent:

- It is necessary to address the item in a timely manner and it is not reasonable to wait until the next regular meeting.
- Timing and/or scheduling does not allow for the item to be addressed at a special meeting.
- The item was not purposely omitted from the regular, published agenda.

5-7: Meeting Room Preparation. The President of the Board or designee shall insure that appropriate information is available for the audience at meetings of the Board of Commissioners, and the facilities are functional and appropriate.

5-8: Meeting Minutes. The minutes of the meeting shall be taken by the Office Administrator or others as requested by the president during the meeting. The minutes shall be approved at the next regularly scheduled meeting. The meeting minutes shall be available to the public and posted on the web site within 6 days of their approval.

PART 6 – BOARD MEETING CONDUCT

6 – 1: Conduct Guidelines. Meetings of the Board of Commissioners shall be conducted by the President in a manner consistent with the policies of the District which has adopted Robert’s Rule of Order; Tenth Edition - 2000.

6 – 2: Conduct Objective. The conduct of meetings shall, to the fullest extent possible, enable the Commissioners to consider the issues at hand, weigh evidence related thereto, make wise decisions, and take needed action.

6 – 3: Public Input (By Audience, Staff or Commissioner). A provision for permitting any individual or groups to address the Board concerning any item on the agenda lies within the jurisdiction of the Board of Commissioners. Such provisions shall be as follows:

6 – 3A Time Limits: The President, unless a of the Board objects, may allot a maximum of three minutes for each speaker and a maximum amount of time of 15 minutes to each subject matter.

6 - 3B Boisterous Conduct: No boisterous conduct shall be permitted at any Board meeting by the audience, staff or Commissioner. Persistence in boisterous conduct shall be grounds for summary termination of the speaker’s privilege to address the Board. In an effort to restore order to the proceedings, the Board may call for a recess or an adjournment. If the disruptions persist, the offender(s) may be censured, or removed. In the event of a wide scale disruption, the audience may be cleared with only the media allowed to remain.

6 – 3C Allegations: No oral presentation shall include any charges, accusations or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference which intends to identify. All charges against an employee shall first be submitted in writing to the President of the Board of Commissioners. If the charge, accusation or complaint is directed at the President the charges may be submitted to all of the commissioners.

6 – 4: Willful Disruption. Willful disruption of any meeting of the Board of Commissioners shall not be permitted. If the President, with concurrence of the Board, finds that there is in fact a willful disruption of any meeting of the Board, he/she may order the room cleared and subsequently conduct the Board’s business without the audience present.

6 – 4A New Business: In such an event, only matters appearing on the agenda may be considered.

6 – 4B Re-admittance: After clearing the room, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting before any further business is conducted.

6 – 4C Media: Representatives of the news media, who did not participate in the disruption, shall be admitted to the remainder of the meeting.

6 – 5: Quorum and Majority. Action can only be taken if a quorum of the Board of Commissioners is present. Three Commissioners represent a quorum. In order for a motion to pass, the majority of the Commissioners present must vote in favor of the motion. If a tie vote occurs at a meeting in which fewer than five Commissioners are present, the Board shall approve to table the item and have it reappear on a future agenda. Any Commissioner who announces a conflict of interest on a particular matter shall not vote or otherwise participate in the proceedings related to the matter, but shall nonetheless be deemed present for the purpose of constituting a quorum.

6 – 6: Abstentions. A Member of the Board is to abstain from a vote for legal conflict of interest reasons. A member of the board may choose to abstain from a vote if he/she feels he/she has a good reason to do so. However an abstention from voting does not affect a quorum count.

6 – 7: Direction. The Board may give directions which are not formal actions. Such directions include Board directives and instructions to the President of the Board. The President shall determine by consensus a Board directive and shall state it for clarification. Should two Commissioners challenge the statement of direction given by the President, a voice vote may be requested. A formal motion may be made to place a disputed directive on a future agenda. Informal actions of the Board are still considered Board action and shall only occur regarding matters which appear on the agenda.

PART 7 – PARLIAMENTARY PROCEDURE

7 – 1: Parliamentary Determinations. The Presiding Officer shall preserve order and decorum and shall decide questions of order (subject to appeal by the Board). Robert’s Rules of Order (Tenth Edition – 2000) shall also be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with Robert’s Rules of Order.

7– 2: Authority of Presiding Officer. The Presiding Officer is charged with keeping the meeting moving forward and keeping order. At the request of the Presiding Officer, staff or any member of the Board may be called upon to assist with keeping order. Generally, the Presiding Officer does not make motions or second motions but because the President and Clerk are not elected as such by the general population, motions and seconds made by the President and/or the Clerk will be considered. The President and Clerk are encouraged to participate in debates and will vote on any matter under consideration.

7 – 3: Roll Call Vote. A roll call vote shall be taken for any of the following reasons:

- The motion is directly related to fiscal issues.
- The motion is to approve a Proclamation, Resolution or Ordinance.
- A Board Member requests a voice vote be changed to a roll call vote.

The order of a roll call vote shall be as follows:

- The Presiding Officer (President or Acting President) shall be the last Board Member to vote.
- The remaining four Board Members shall be listed in alphabetical order. The order of the vote shall always be in alphabetical order with the starting point rotating after every vote.
- Any item not listed on the agenda as a roll call vote but is converted to a roll call vote shall call for the Presiding Officer to vote last. The remaining four Commissioners shall vote in alphabetical order starting with “A”.

7 – 4: Voice Vote. A voice vote shall be taken for items not meeting the Roll Call criteria. Any member of the Board may request that a voice vote be changed to a roll call vote.

7– 5: Call for the Question. A “call for the question” shall be deemed as a non-binding request that the Presiding Officer close the debate and to bring the motion to an immediate vote. The Presiding Officer may choose to continue the discussion of the issue.

7 – 6: Call for the Main Question (a Motion to Close Debate). The “motion to close debate”, if seconded shall be a non-debatable motion, and shall have precedence over any other motion except for a parliamentary inquiry, or a motion to adjourn. Should the “motion to close debate” pass by a majority vote, the Presiding Officer shall thereafter immediately call the question on the pending motion

7 – 7: Making a Motion. Any board member may offer a motion at any time it is in order to do so on the agenda. A motion must receive a second. The presiding officer restates the motion. Members debate the motion. Any amendment to the motion is disposed of before further debate on the original motion. At the end of the debate the presiding officer asks for the affirmative votes and then the negative votes. The presiding officer announces the result of the voting and requests action based on the motion.

7 – 8: Amendments to Motions. Any board member may offer an amendment to an amendable motion (see Robert’s Rules of Order) before the motion is voted upon. Between the time the motion is made and before the presiding officer states a motion, any member may informally offer modifying suggestions to the maker of the motion. The maker may accept or reject the member’s recommendations.

After the chair has stated the motion, the maker of the motion may request unanimous consent from the members to modify the motion. If members unanimously agree to the modification the change stands. If

there is dissent, the motion stands as stated and any modification to the proposed motion must come in the form of an amendment.

A motion may be amended by inserting words or paragraphs; by striking out words or paragraphs. A vote of the board is required for adoption of the amendment. With the proposed amendment disposed of, the board will return to debate on the motion upon which the amendment was proposed.

7 – 9: Reconsideration (Same Meeting). Any Commissioner that voted in favor on an agenda item may vote to reconsider that item at the same meeting. If seconded by any other director or passed by a majority vote, the effect of the motion is to vacate the earlier motion such that a new motion may be debated. The Board should not reverse a decision where the audience that provided public input to the initial action is no longer in attendance.

7 – 10: Reconsideration (Subsequent Meeting). Any request to reconsider a motion at a subsequent meeting must be made at a regular meeting of the Board. The item can be placed on the subsequent agenda if the request is supported by at least two Commissioners. The Presiding Officer may reject this request if no new information is presented to warrant further debate. Staff is prohibited from placing such an item on the agenda of a subsequent meeting unless the requirements listed above have been met. All other requirements pertaining to placement of an item on the agenda (see Rule V – 5 and V- 6) must be met.

7 – 11: Motion to Continue. Any Commissioner may move that an item be continued to a specific future Board Meeting even if another motion is pending consideration. If such a motion is seconded and passed, all consideration on that item is halted until the subsequent meeting. The pending motion will remain in force when the discussion of the item is resumed.

7 – 12: Motion to Table. Any Commissioner may move that an item be tabled for an indefinite time, even if a motion is pending consideration. If such a motion is seconded and passed by a majority, all consideration on that item is halted until the items/issues listed within the motion have been addressed and/or resolved. Any Commissioner may then request the item be placed on the agenda of a subsequent meeting. If there is a pending motion, it shall remain in force when the discussion of the item resumes.

7 – 13: Order of Debate. The Presiding Officer shall follow the following order of debate in the consideration of legislative matters:

7 - 13A Presentation: Staff shall present the issue with any recommendations.

7 – 13B Questions of Staff by the Board: The Board may ask questions of staff to clarify an issue or recommendation. Commissioners must be recognized by the President prior to posing the question to staff.

7 – 13C Audience Input: Member of the audience may make statements or ask questions regarding the matter. Any person wishing to address the Board, shall, when recognized by the presiding officer, step up to the rostrum to speak. In order to establish legal standing, the President may request the speaker state his/her name and address for the record. All questions of staff by members of the public shall be addressed through the President. The President may impose reasonable limitations upon the amount of time each person can speak and the maximum time allotted for discussion of the item. The President may also limit the number of times an individual may speak. The unused time of one speaker may not be transferred to another speaker. The President may close the public comment portion of the agenda item whenever he/she deems it necessary in order to complete Board business. The President should consider closing public comment when the information being presented becomes repetitive in nature.

7 – 13D Board Discussion and Resolution: Following closure of public comment, the Board shall debate the item and take action (by motion). Individual Commissioners may ask questions of members of the audience through the President but such questions and answers should not become

a debate. All other audience input shall be deemed “out of order” by the President unless the Board determines that addition input is desirable.

PART 8 – RENUMERATION

8 – 1. Board Member Compensation. Commissioners shall be compensated in accordance with RCW 35.61.050(2) for attendance at official meetings, or in performance of other official services or duties on behalf of the District. However, the compensation for each commissioner must not exceed eight thousand six hundred forty dollars per year. Any Commissioner may waive all or any portion of his or her compensation by written waver filed with the Clerk of the Board.

8 – 2. Board Member Travel Expenses.

- a. Travel Approval. All travel for District business purposes shall be subject to approval by the Board of Commissioners in order for a commissioner or employee to be eligible for reimbursement of travel, food and lodging costs.
- b. Reimbursement. Subject to the preceding section, each member of the Board of Commissioners and employee shall be reimbursed for reasonable expenses for preapproved activities and expenses actually incurred in connection with the business of the District, including food and lodging while away from his or her place of residence and mileage for use of privately owned vehicles based upon the mileage rate authorized by RCW 43.03.060, as now existing or hereafter amended.

9– PERSONNEL POLICIES

9 – 1. Sexual or Other Harassment. Sexual harassment of or by an employee of the District (including Commissioners) will not be tolerated. The District considers sexual or any other type of harassment to be a major offense, which may result in disciplinary action or dismissal of the offending employee.

An employee who feels that he/she is being harassed is encouraged to immediately report such incident to the President of the Board who will head up an investigation and resolution of the complaints.

9 – 2. Non-discrimination. The District shall not discriminate against qualified employees or job applicants on the basis of gender, race, color, religious creed, national origin, ancestry, age over 40, marital status, physical or mental disability or veteran status.

Equal opportunity shall be provided to all qualified employees and applicants in every aspect of personnel policy and practice. The District shall not discriminate against a physically or mentally disabled person who, with reasonable accommodation, can perform the essential function of the job in question.

All employees are expected to carry out their responsibilities in a manner that is free from discriminatory statements or conduct.

9 – 3. Reasonable Accommodation. Pursuant to the Americans with Disabilities Act, Fall City Metropolitan Park District has a duty to reasonably accommodate employees and job applicants with known disabilities. This accommodation is not required for individuals who are not otherwise qualified for the job nor is accommodation generally required until the person with the disability requests it.

PART 10 – COMMISSIONERS LEGAL LIABILITY

10 – 1. Defense. The District shall defend any claim, liability or demand that arises out of a Commissioner’s lawful performance of his/her duties as a Commissioner of the District.

10 – 2. Indemnification. The District shall indemnify, defend and hold harmless each Commissioner from and against any claim, liability, obligation, action, cost, fine, penalty and/or damages arising out of acts or omissions within the scope of his or her official duties, provided that such actions (1) shall have occurred while the Commissioner was acting in a manner in which the District had an interest; (2) that the Commissioner shall have been acting in discharge of a duty imposed or authorized by law; and (3) that the Commissioner shall have acted in good faith.

PART 11 – POLICY REGARDING USE OF DISTRICT COUNSEL

The Board of Commissioners of a Metropolitan Park District is the legislative body of the District and shall determine all questions of policy. Under the necessary powers of the Board of Commissioners is the power to employ legal counsel. It is therefore within the legal authority of the Board Commissioners to establish policies regarding the use of legal counsel.

11 – 1: Contact with Legal Counsel Limited to District Business. Contact with legal counsel shall involve District business only. Legal advice for Commissioners or staff members concerning their job status or personal pursuits, personal business pursuits are not authorized. Since the District will be charged for the services provided by legal counsel, such use shall be viewed as a “Gift of Public Funds”. In such a case, criminal charges will be filed. Contact with legal counsel includes, face to face contact, letters, notes, memorandums, email, telephone, recordings or any other means of communication.

11 – 2: Board Direction to use Legal Counsel. The Board, through majority concurrence or by formal action, may direct the president to seek legal advice when it is deemed beneficial.

11 – 3: Individual Board Member Use of Legal Counsel. Individual Commissioners may only use legal counsel when questions of a conflict of interest arises, or when the Commissioner needs clarification about conflict of interest laws. Such use would be subject to majority approval of the Board. The president may seek legal counsel for board issues when the president deems such counsel is appropriate. The President may also authorize a Commissioner to use legal counsel for a specific issue on their behalf. The Commissioner must request in writing and receive written authorization from the President PRIOR TO contacting Legal Counsel.

PART 12 – MEDIA/PUBLIC RELATIONS

12 – 1: Designated Public Information Officer. The President of the Board or his designee shall act as the Public Information Officer for the District. If the Board feels it is in the District’s best interest to have an elected official communicate with the media on a given issue, a member of the Board of Commissioners may be assigned by board consent to serve as the Public Information Officer for that issue only.

12– 2: Public Comments. When a Commissioner is making a public statement on an issue which the Board has taken action, comments shall be limited to stating the board action only. All personal opinions and/or statements made by an individual member of the Board shall be clearly presented as such.

When personal opinions are being stated in any public forum (print media, radio, television, public or private gathering) it is the responsibility of the Commissioner to make it clear that he/she is speaking as an individual and not for the Board/District. In addition, it must be made clear that any opinions expressed or comments made are not necessarily shared by the Board or the District.

12 – 3: Contact from the Media. If a Commissioner is contacted by the media on an item related to District policy or business and said item is one which the Board has ruled on, comments shall be limited to stating the action of the Board only. Personal opinion shall be kept to a minimum. It is the responsibility of the Commissioner to make it clear that any opinions expressed are solely the opinion of the

Commissioner and does not necessarily reflect the opinions of the other Commissioners of the Board. Further inquiries should be referred to the President of the Board.

If a Commissioner is contacted by the media on an item which has not been discussed by the Board, comments should be kept to a minimum and limited to his/her personal opinion. It is the responsibility of the Commissioner to make it clear that any opinions expressed are solely the opinion of the Commissioner and does not necessarily reflect the opinions of the other members of the Board. If the item has been set as an agenda item, it is appropriate to suggest the member of the media attend the Board Meeting.

If a Commissioner is contacted by the media on a matter related to an employee(s) or former employee(s), the Commissioner shall NOT make comment or discuss the issue presented. Any violation of this policy may violate the rights of the employee(s) and place the District in a position of liability. Such statements may also place the Commissioner in a position of personal liability which is not covered by the District's Errors and Omissions insurance. All such inquiries shall be referred to the President of the Board..

PART 13 – PUBLIC DISCLOSURE:

13 – 1: Policies. The Washington State Public Disclosure Act, Ch. 42.56, pertaining to public records, governs the disposition of requests for District records.

13 – 2: Public Records Availability. All public records of the District are deemed to be available for inspection and copying pursuant to these rules, unless otherwise exempt pursuant to the provisions of RCW Ch. 42.56 or other law.

13 – 3: Posting of Board Meeting Minutes. Minutes from the Board of Commissioners meetings shall be available for public record 1 week after they have been approved by the Board of Commissioners.

13 – 4: Public Records Officer. The District's public records shall be in the charge of the Office Administrator, who shall be responsible for implementing the District's rules and regulations regarding release of public records and generally insuring compliance with the public records disclosure requirements of RCW Chapter 42.56.

13 – 5: Hours for Records Inspection and Copying. Public records, as identified, shall be available for inspection and copying from 9:00 a.m. to 2:30 p.m., Monday through Friday, excluding legal holidays and contingent upon availability of staff with reasonable notice.

13 – 6: Requests for Public Records. Public Records, as identified, may be inspected or copied or copies of such records may be inspected or copied or copies of such records may be obtained by members of the public, upon compliance with the following procedures:

1. A request shall be made in writing upon a form prescribed by the District, which shall be available at the monthly Board meeting. The form shall be mailed or delivered to the District Office Administrator. The request shall include the following information:
 - i. The Name of the person requesting the records;
 - ii. The time of day and calendar date on which the request was made;
 - iii. Public Records identified for inspection or copying.
2. In all cases in which a member of the public is making a request, it shall be the obligation of the Office Administrator to assist the member of the public in appropriately identifying the public record requested.

13 – 7: Copying of Public Records. No fee shall be charged for the inspection of public records. The District shall charge a fee of \$0.15 per black & white standard sized copy for providing copies of public records. This charge is the amount necessary to reimburse the District for its actual costs incident to such copying.

13 – 8: Right to Exempt Records from Public Inspection. The District reserves the right to determine that a public record requested in accordance with these procedures is exempt under the provisions of RCW Chapter 42.56 or any other law. In addition, pursuant to RCW Chapter 42.56, the District reserves the right to delete identifying details when it makes available or copies any public record in cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by RCW Chapter 42.56. The public records officer will justify such deletion in writing.

13 – 9: District Response. Under the Public Records Act, the District is obligated to follow the procedure outlined in RCW 42.56.520:

42.56.520
Prompt responses required.

Responses to requests for public records shall be made promptly by agencies **Within five business days of receiving a public record request**, an agency... must respond by either (1) providing the record; (2) providing an internet address and link on the agency's web site to the specific records requested, except that if the requester notifies the agency that he or she cannot access the records through the internet, then the agency must provide copies of the record or allow the requester to view copies using an agency computer; (3) acknowledging that the agency... has received the request and providing a reasonable estimate of the time the agency... will require to respond to the request; or (4) denying the public record request. Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public record request that is unclear, an agency... may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the agency need not respond to it. Denials of requests must be accompanied by a written statement of the specific reasons therefor. Agencies shall establish mechanisms for the most prompt possible review of decisions denying inspection, and such review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final agency action or final action by the office of the secretary of the senate or the office of the chief clerk of the house of representatives for the purposes of judicial review.

13 – 10: Review of Denials of Public Records Requests.

- A. Any person who objects to the denial of a request for a public record may petition the President of the Board of Commissioners of the District for prompt review of such decision by tendering a written request for review. The petition shall specifically refer to the written statement by the District Operations Manager or other staff member, which constituted or accompanied the denial.
- A. Immediately after receiving a written request for review of a decision denying a public record, the District Office Administrator denying the request shall refer the request to the President of the Board of Commissioners. The President shall immediately consider the matter and either affirm or reverse such denial or refer the matter to review at the next regularly scheduled meeting of the Board of Commissioners. In any case, the request shall be returned with a final decision within thirty business days following the date of receipt of the request for review.

13 – 11: Records Index.

- A. The District has not indexed all of the public records described in RCW Chapter 42.56.070 on the basis that it would be unduly burdensome to do so and it would not necessarily assist members of the public in locating requested information.

- B. The current index prepared by the District shall be available to all persons under the same rules and conditions as are applied to public records available for inspection.

14 - PARTIAL INVALIDITY

The invalidity of any section, clause, sentence or provision of this manual shall not affect the validity of any part hereof which can be given effect without such invalid part or parts.