



UTILITY BOARD STAFF REPORT

Item (#)
February 13, 2024
Regular Business

AGENDA ITEM INFORMATION

TITLE:	Utility Board Bylaws review	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Discuss and provide feedback	

STAFF:	Andrea Larson, City Clerk
COUNCIL LIAISON:	Jake Jacobson
EXHIBITS:	1. Utility Board Bylaws

SUMMARY

At the City Manager’s direction, the City Clerk’s office was tasked with updating the advisory board and commission bylaws to meet current needs and address outdated or new practices, while also ensuring consistency with the City Council Rules of Procedure.

BACKGROUND

Revised bylaws have been reviewed and adopted by the Arts Council, Parks & Recreation Commission, and Planning Commission. The bylaws being presented to the Utility Board are consistent with what was adopted by the other advisory boards and commissions.

Since the onset and sunset of the COVID-19 Pandemic, several internal procedures were modified to meet current needs and address outdated or new practices. At the request of the City Clerk’s office, all board and commission bylaws were reviewed and amended to address these changes and to ensure consistency across the City’s boards and commissions as well as the City Council Rules of Procedure. In the review of all board and commission bylaws the City Clerk’s office was unable to locate current Utility Board bylaws.

DISCUSSION

In accordance with Mercer Island City Code [3.52.040](#), which reads, in part “Utility board shall determine the time and place of its meetings and other rules and regulations.” The proposed bylaws attached as Exhibit 1 were reviewed by staff and by the City Attorney’s office this winter. The bylaws included the following:

1. City Council Rules of Procedure, City Code, and State Law

The Legislature recently amended the Open Public Meetings Act (OPMA), which requires a physical meeting location even if all meeting participants are remote. Additionally, appearances are now a requirement of all public meetings. The bylaws were amended to address the changes in the OPMA and align with City Council Rules of Procedure, City Code, and state law.

2. Training and Elections (Sections 2 and 3)

Training requirements were added to address Code of Ethics and the Open Government Trainings Act. The election process for the Chair and Vice Chair was also revised to align with the City Council election of the Mayor and Deputy Mayor.

3. Meetings and Agenda Preparation (Sections 4 and 5)

Consistent with City Council Rules of Procedure, sections on remote attendance, the “order of meeting agendas,” and printed agenda materials were added.

4. Planning Commission Protocols (Section 6)

Like the City Council, a section on Planning Commission Protocols was added to address appearances, discussion, decisions, no surprise rule, prohibited conduct, and appearance of fairness.

5. Appendices A-D

Consistent with the City Council Rules of Procedure, appendices were added to address the following:

- Parliamentary Rules and Motions
- Planning Commission Meeting Code of Conduct
- Planning Commission-Staff Communication Guidelines
- How does the City use Nextdoor.com?

The City Clerk, City Attorney’s Office, and staff liaisons to each of the City’s boards and commissions worked diligently over the last nine months to develop updated, effective, and consistent bylaws across all City appointed bodies. Staff recommend minimizing further revisions. The staff recommendation is to adopt the revised Bylaws at the February 13, 2024, meeting.

RECOMMENDED ACTION

Adopt the Utility Board bylaws as presented.