

## SECTION 8. CITY ADVISORY BOARDS AND COMMISSIONS

- 8.1** Mercer Island's advisory boards and commissions provide an invaluable service to the City. Their advice on a wide variety of subjects aids the City Council in the decision-making process. Effective resident participation is an invaluable tool for representative government.
- 8.2** These advisory bodies originate from different sources. Some are established by [Title 3](#) of the Mercer Island City Code while others are established by motion or ordinance of the City Council. It is at the discretion of the City Council as to whether any advisory body should be established by ordinance. The following advisory boards and commissions are established:
- A.** Design Commission
  - B.** Planning Commission
  - C.** Utility Board
  - D.** Mercer Island Arts Council
  - E.** Open Space Conservancy Trust Board
  - F.** Parks & Recreation Commission
- 8.3** Each board and commission shall adopt rules of procedure (or bylaws) to guide governance of its board or commission, including the number of meetings unless set forth in a resolution or ordinance or unless the number of meetings adversely impacts City staff resources, as determined by the City Manager.
- 8.4** The City Council may dissolve any advisory body that, in its opinion, has completed its working function or for any other reason.
- 8.5** Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended.
- 8.6** All meetings of advisory bodies are open to the public in accordance with Chapter 42.30 RCW, [Open Public Meetings Act](#), and require a minimum 24-hour advance written notice.
- 8.7** Members may be removed from any advisory board or commission prior to the expiration of their terms of office, in accordance with the provisions of the ordinance or resolution establishing such advisory board or commission.
- 8.8** All members of advisory boards and commissions shall sign a statement acknowledging they have received, read, and agree to be bound by the City's Code of Ethics, MICC Chapter 2.60 and RCW Chapter 42.23. The City shall provide new members with a presentation on the Code of Ethics. If the required Code of Ethics presentation has not

been completed within **45** days of appointment, the member will be referred to City Council Leadership for potential removal.

- 8.9** The City Council transmits referrals for information or action through the City Manager and the City Council liaison to the advisory boards and commissions. Staff liaisons, on behalf of advisory boards and commissions, transmit findings, recommendations, reports, etc., to the full City Council as part of the City Council Agenda Packet.
- 8.10** The City Manager shall appoint City staff to assist advisory boards and commissions. City staff are not employees of such bodies and take direction only from the Department Director or the City Manager. Boards and commissions shall not direct City staff to perform research, gather information, or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the City Council or City Manager.
- 8.11** As part of the biennial budget process, the City Council shall adopt a citywide work plan. Staff liaisons shall present the work plan to the boards and commissions and set the appropriate meeting schedule to achieve the deliverables in the work plan.
- 8.12 Appointment Process.** Annually, the City Clerk will advertise for applicants to fill expiring positions on the boards and commissions as follows, unless otherwise provided by law:
- A.** Available positions are advertised.
  - B.** Once the application deadline has passed, all applications received by the deadline will be forwarded to the City Council for review.
  - C.** The City Clerk will include the appointment process on the agenda for the next regularly scheduled City Council meeting.
  - D.** The City Clerk will prepare a ballot for each board or commission, listing applicants alphabetically by last name.
  - E.** The voting process for appointment to each board and commission shall be as follows:
    - 1. Each City Councilmember completes a written ballot, casting a vote for the identified open seat on the board or commission. If there is more than one open seat on a board or commission, then each position will be voted on separately. If there are multiple positions open for a given board or commission, the position(s) with the longest term shall be voted on first.
    - 2. The City Clerk will collect the ballots, tally the votes, and read aloud the votes and outcome of the voting process.
    - 3. The applicant that receives the most votes, provided they have received a minimum of four votes, will be appointed to the open seat on the board or commission. In the event of a tie or if no applicant receives four votes, the procedures in Section 8.12(E)(4) and (5) shall be followed.

4. If no applicant receives a minimum of four votes, a second round of voting will take place utilizing the following process:
    - a. Applicants receiving one or no votes in the first round will be dropped from the ballot and Councilmembers will re-vote on the remaining applicants. If more than one candidate has only one vote, the Mayor will recommend an appropriate procedure for breaking the tie, subject to approval by the Council.
    - b. Voting will continue until an applicant receives the four-vote minimum.
  5. If a tie exists after the first vote or in a subsequent round of voting, and a tiebreaker is necessary to make an appointment, a tiebreaker vote will be conducted utilizing the following process:
    - a. Councilmembers will vote on the applicants that are tied and all other applicants will be eliminated from the voting process.
    - b. If after three successive votes a tie still exists, the names of all the applicants that are tied will be put into a hat and the City Clerk will draw out one of the names. The name that is drawn will be appointed to the open seat.
  6. The Mayor may call for a recess at any time during the voting process to allow Councilmembers to caucus. Caution should be exercised during a caucus to avoid “serial meetings” as these types of discussions are not allowed under the Open Public Meetings Act.
  7. The names of the applicant(s) selected will be added to a Resolution, with final approval required by a vote of the City Council.
- F.** Letters will be sent to all applicants informing them of their appointment or thanking them for applying. Staff liaisons will contact new appointees in advance of the first board or commission meeting.

### **8.13 Vacancies.**

- A.** When vacancies occur, they are filled for the unexpired terms in the same manner as described in Section 8.12. If there is more than one vacancy to fill on a board or commission, the position with the longest term will be voted on first. The City Council will be notified of vacancies so they may encourage residents to apply.
- B.** In the event a vacancy occurs mid-term, the City Council shall appoint a person to fill the unexpired term within 60 days, or as soon as reasonably practicable.
- C.** If the mid-term vacancy occurs for a position with six months or less remaining in the term, the City Council may elect to fill the unexpired term and the next four-year term concurrently.

**8.14 Open Government Training Requirement.** Within 45 days of the appointment to a board or commission, all new members must complete the Open Government Trainings Act requirements, which includes training on the Open Public Meetings Act, the Public Records Act, and public records retention. Members will provide proof of completion of

these trainings to the City Clerk. If the required Open Government Trainings have not been completed within 45 days of appointment, the member will be referred to City Council Leadership for potential removal.

**8.15 City Council Liaison Roles & Duties.** The Mayor (in consultation with the Deputy Mayor) may appoint a City Council liaison for certain boards or commissions. The City Council liaison shall report objectively on the activities of both the City Council and the advisory group. The specific duties of a City Council liaison are as follows:

- A.** Attend meetings of the board or commission and report back to the City Council on the business that is being discussed.
- B.** May participate in the discussion of the board or commission to represent the position of the majority of the City Council (if known) and will be cognizant not to unduly influence the discussion of the board or commission. Liaisons will not vote on any matter (except for the Open Space Conservancy Trust as the City Council Liaison is a voting member).
- C.** Represent the majority City Council position, if known.
- D.** Participate in a manner that will not intimidate, unduly influence, or inhibit the members, meetings or the operations of the board or commission. Make comments in a positive manner to promote positive interaction between the City Council and the board or commission.
- E.** Provide regular and timely reports to the City Council at regular City Council meetings. Take the lead on discussion items before the City Council which pertain to the assigned board or commission.
- F.** Provide input to the City Council regarding potential candidates for appointment to the board or commission.