

## 220 – Board and Administration

### 1.0 PURPOSE

The purpose of this policy is to inform the public and the Des Moines Pool Metropolitan District (District) officials and employees of the legal and administrative requirements relating to the operation of the District by the Board of Commissioners (Board).

### 2.0 SCOPE

This policy was developed by the requirements of the following by-laws of the Des Moines Pool Metropolitan Park District as adopted on July 23, 2009. Revised Code of Washington (RCW) 35.61 – Metropolitan Park Districts, on January, 2010

### 3.0 POLICY

#### 3.1 Organization of Board of Commissioners

- 3.1.1 Government:** The government of the District is vested in the Board. The members of the Board constitute the corporate authority.
- 3.1.2 Number:** Pursuant to the District Plan, the Governing Board consists of five voting members. All five members are elected per RCW 35.61.050 (2)
- 3.1.3 Vacancies:** In the event of a vacancy, the Board of Commissioners of the District shall fill the vacancy in the manner provided by statute (RCW 35.61.050)
- 3.1.4 Compensation:** Commissioners shall receive compensation pursuant to RCW 35.61.150 for each day or portion of a day in actual attendance at official Board meetings or in performance of their official services or duties on behalf of the District (Resolution No. 2009-04)
- 3.1.5 Selection of Board Officers:** During the first regular meeting in January the Board will select a President and Clerk of the Board.
- 3.1.6 President:** The President of the Board will preside at each Board Meeting and ensure the meeting is conducted in accordance to the published agenda. The President may sign on behalf of the Board any contract, resolutions and other instruments that were approved by the Board. In the President's absence, the Clerk of the Board will preside at the Board Meeting.
- 3.1.7 Clerk of the Board,** preside at Board Meetings in the President's absence. Approve vouchers for payment, oversee compliance with public records disclosures.
- 3.1.8 Appointed Officers:** The Board shall appoint an Attorney to represent the District in all legal matters
- 3.1.9 Standing Committees:** The Board may establish standing committees to conduct the affairs of the Board. The President shall nominate the members of the ad hoc committees and appointed by the Board. Standing committees that have been established include:
  - **Finance Committee**
  - **Outreach Committee**
  - **Facilities Committee**
  - **Contracts Committee**
  - **Policy & Procedure**

### 3.2 Primary Functions of Board of Commissioners

- 3.2.1 The board shall have the powers and duties as authorized in RCW 35.61-Metropolitan Park Districts.
- 3.2.2 The Board shall establish the District's goals and objectives and revise if necessary annually.
- 3.2.3 The Board shall adopt Policies and Rules as necessary for the operation of its facilities.
- 3.2.4 The Board will approve and certify the DMPMPD Tax Levy for the upcoming year prior to the date set by the County Assessor.
- 3.2.5 The Board will approve the Annual Budget no later than December 31<sup>st</sup>.

### 3.3 Meetings of the Board of Commissioners

- 3.3.1 **Time and Place:** The Board will meet monthly on the second Tuesday of the month at the District offices at 5:00 p.m.
- 3.3.2 **Quorum:** A quorum shall constitute a minimum of three District board of commissioners.
- 3.3.3 **Teleconference Attendance:** The Commissioners may attend the Board of Commissioners meetings by telephone if necessary.

## 4.0 VOTING

- 4.1 The Board shall act by majority vote except where statutory requirements require a supermajority or unanimous vote in which case the statutory requirement shall control. Voting shall occur as follows:
  - 4.1.1 **Voice vote:** A generalized verbal indication by the Board as a whole of "yea" or "nay" vote on a matter, the outcome of which vote shall be recorded in the official minutes of the Board. Silence of a Board member during a voice vote shall be recorded as a vote with the prevailing side, except where such a Board member abstains because of a stated conflict of interest or appearance of fairness.
  - 4.1.2 **Roll call vote:** A roll call vote may be requested by the President or by any Board member.
  - 4.1.3 **Abstentions:** It is the responsibility of each Board member to vote when requested on a matter before the full Board. However, a Board member may abstain from discussion and voting on a question because of a stated conflict of interest or appearance of fairness.
  - 4.1.4 **Votes by President:** The President may vote on the same basis as any other Board member.
  - 4.1.5 **Two Touch Rule:** Decision-makers and citizens at all levels of DMPMPD should have adequate time to thoughtfully consider the issues prior to final decisions. It is the intent of the Board that the Board and District Staff should abide by the "Two Touch Rule" whenever possible (unless an exception applies). The following procedural guidelines are designed to avoid "surprises" to the Board, District Staff or Community.
    - 4.1.5.1 Any pending request or proposal for adopting or changing public policy, ordinances, resolutions or directives which will require a decision of the Board or District Staff should normally "**touch**" (oral,

written or any combination thereof) the decision makers at least **two separate times**. Quasi-judicial matters and any subject discussed in executive sessions are excluded from application of the “Two Touch Rule.”

**4.1.5.2** Items will be introduced to the board committees (1<sup>st</sup> Touch)., Those items will be added as “New Business” in the monthly regularly scheduled board meeting. The item will be brought back to the board (2<sup>nd</sup> Touch) for disposition (approval/denial) at a future regular board meeting.

**4.1.5.3** It is recognized that the hands of decision-makers should not be tied unnecessarily. Unexpected circumstances may arise wherein observance of the "Two Touch Rule" is impractical. However, when unusual circumstances arise which justify a “first discussion” decision, the persons requesting the expedited decision should also explain the timing need. The Two Touch Rule excludes staff reports and other general communications not requiring a future Board decision.

## **5.0 ABSENCES**

Board members will inform the District General Manager, President or District Clerk if they are unable to attend any Board meeting, or if they knowingly will be late to any meeting. The minutes will show the Board member as having an excused absence unless the Board approves a motion declaring the absence to be unexcused. In the event a Board member fails to notify the District General Manager, President or District Clerk of an absence, the absence will be unexcused unless the Board approves a motion declaring the absence to be excused.

## **6.0 REMOVAL OF BOARD MEMBER**

If a Board member has three unexcused absences from three consecutive regularly scheduled meetings of the Governance Board the Board Member shall be removed from the Board and that member’s position shall be considered as a vacancy to be filled in accordance with paragraph 3.1.3. The Clerk of the Board shall notify the Board member by mail after two consecutive unexcused absences that the position will be declared vacant if the Board member is absent without being excused from the next regularly scheduled meeting of the Governing Board. Removal of a DMPMPD Board Commissioner under this provision shall also result in a vacancy on the DMPMPD Board of Commissioners pursuant to RCW 42.12.