



City Attorney's Office

DATE: February 13, 2024
TO: Parks and Community Services Board
FROM: Karen Phu, Assistant City Attorney
SUBJECT: Updates to the Parks and Community Services Board bylaws

REQUEST OF THE PARKS AND COMMUNITY SERVICES BOARD

ACTION



DIRECTION



INFORMATION ONLY



The Parks and Community Services Board will review proposed updates to the Board's Bylaws (**Exhibit A**). Staff seek direction to bring back the updated Bylaws for final action to vote on adoption at the Board's next regular meeting. The updated Bylaws presented tonight propose three key updates:

- Amending the remote participation rules (Art. V Sec. G) as required to conform with Ordinance 6752;
- Amending the rules of decorum for public comment (Art. VII Sec. E) as required to conform with Ordinance 6752; and
- Amending the order of business (Art. VI Sec. D) to remove the second oral communications period as recommended to be consistent with the City Council's rules and other modifications to reflect the current operations of the Board.

BACKGROUND / ANALYSIS

Proposed amendments to the Bylaws concerning remote participation and public participation are required by City Code. Additional proposed amendment regarding the Board's order of business is recommended by staff.

Remote Participation – required update

On May 16, 2022, the Council adopted Ordinance 6662, amending the remote participation requirements in Title 3 of the BCC for members of the Council's advisory boards and commissions. At that time the Council indicated its intent to revisit the provisions of that ordinance after a year to determine their effectiveness. Staff received feedback from the boards and commissions concerning Ordinance 6662 and proposed amendments to Title 3 BCC based on that feedback.

Ordinance 6662 limited the number of board or commission members who could participate remotely at a meeting to three, and Council adopted a provision in the Ordinance requiring the approval of remote participation by the board or commission in advance of the meeting. Since the boards and commissions may only make decisions in an open public meeting, the effect of that provision has been to require members to know a few weeks in advance if they want to participate remotely at the next meeting. Board and commission members and staff have found that this provision is burdensome, as members often do not know until closer to the meeting date that they may need to participate remotely.

On August 7, 2023, the Council adopted Ordinance 6752 amending the Code to adopt new rules for board and commission members attending meetings remotely, as codified for the Parks and Community Services Board in BCC 3.62.030.E. Under the new ordinance, board and commission members are required to notify the presiding officer and the staff liaison of their intent to participate remotely no later than noon the day prior to the meeting. If more than three members wish to participate remotely, the staff liaison will determine which members may and may not participate remotely and will notify them of the decision. The proposed amendments to the Bylaws at Article V Section G are required to incorporate these code changes.

Public Participation – required update

In addition, staff also proposed amendments to the City Code for the public participation requirements at board and commission meetings, similar to the amendments proposed for the Council meetings, to ensure consistency on those issues.

Ordinance 6752 also amended the rules in the Code concerning public participation, as codified for the Parks and Community Services Board in BCC 3.62.030.F. The amendments clarify the limits on topics that may be discussed during public comment, amend the rules of decorum for public comment and conduct at board and commission meetings, and add more specificity around enforcement mechanisms. The proposed amendments to the Bylaws at Article VII Section E are required incorporate these code change.

Order of Business – recommended update

Staff also recommends several additional changes to the Board's Bylaws in the Order of Business section, as set forth in Article VI Section D, which determines the Board's standing agenda for each meeting.

The primary change is to eliminate item number 14, which is a second "Oral Communications" item which that currently allows for a second public comment period at the end of each meeting. If a second comment period remains as a standing agenda item, the Board must allow someone to comment at that second comment period if they sign up or otherwise request to speak.

The bylaws for all the boards and commissions were originally drafted to mirror the City Council's meeting rules on this topic which originally similarly included a second comment period. On April 11, 2022, the Council adopted Resolution 10084, amending the rules and procedure for Council meetings, which removed the second comment period as a standing agenda item. The Council now instead decides on a meeting-by-meeting basis whether to allow additional public comment at the end of the meeting.

The proposed Bylaw amendment removing the second oral communication period from order of business and standing agenda would similarly provide the Board with more flexibility. Article VI, Section E of the Bylaws allows the printed agenda of a regular meeting to be modified, supplemented or revised by a majority affirmative vote of the Board members present. A second comment period can be added at any regular meeting by such a vote.

The final recommended changes to the order of business are to eliminate items 8, 9, 12, and 13, which are, respectively, chair communication and discussion, board member committee/liaison reports, proposed agenda for next meeting, and other communications. Removing these items is suggested because they are rarely used or are typically subsumed in other existing agenda topics, so this change would be in the interest of efficiency and to more accurately reflect the current operations of the Board.

POLICY ISSUES

On August 7, 2023, the City Council adopted Ordinance 6752 (**Exhibit B**) amending the Bellevue City Code provisions for all the Council's advisory boards and commissions, including Chapter 3.62 BCC (**Exhibit C**), which applies to the Parks and Community Services Board.

BCC 3.62.050 provides: "The board shall adopt bylaws and procedures not inconsistent with any requirements established in the Bellevue City Code for the conduct of its meetings and hearings, setting of times of hearings, and giving of notice to the public."

Pursuant to Art. XVI of the Bylaws, a two-step process is required to amend said bylaws. After this meeting, if direction is given, final revisions will be presented at the Board's next regular meeting. Amendments require two-thirds of the membership to vote in favor of amending the bylaws.

ATTACHMENTS

- A. Proposed updated Parks and Community Services Board bylaws – redline
- B. Ordinance 6752
- C. Chapter 3.62 BCC