

Update to ESC Bylaws

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June 16, 2022

Tonight = Information Only

Tonight's presentation will provide the ESC with information regarding the City Council's Ordinance 6662, amending certain provisions related to chapter 3.55 BCC and necessitating revisions to ESC bylaws. The presentation will also cover proposed amendments to ESC bylaws to ensure greater consistency with other advisory bodies to the City Council

Future Action – Next Meeting



Per ESC bylaws, any revisions to bylaws require a two-step process. Introduction at regular/special meeting, with adoption occurring at the next regular/special meeting. Tonight is the first step. Adoption of amendments is anticipated to occur at your next regular meeting.

Agenda

- Remote Participation in Public Meetings – Pre-Pandemic.
- Remote Participation in Public Meetings – Pandemic.
- Ordinance 6662
- Mandatory Changes to Bylaws
- Discretionary Changes to Bylaws
- Questions
- Next Steps

Remote Participation — Pre Pandemic

- Chapter 3.55 Bellevue City Code – Establishes ESC.
- BCC 3.55.030 – Concerns ESC Meetings.
- Remote Participation
 - Must be approved in advance:
 1. At an earlier ESC meeting; or
 2. Before joining a current meeting.
 - No more than 4 times per year (unless absent for medical reasons).
 - Only 2 members can participate remotely at any one ESC meeting.

Remote Participation – Pandemic

- June 1, 2020
 - City Council – Adopted Ordinance 6516
 - Removed limitations on Remote Participation.
 - Always intended to be temporary.
- June 23, 2020
 - ESC suspended provisions of bylaws re Remote Participation.

Ordinance 6662

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6662

AN ORDINANCE amending Sections 3.55.030, 3.56.030, 3.61.030, 3.62.030, 3.63.030, and 3.64.030 of the Bellevue City Code to reinstate limitations on members of commissions and boards attending meetings remotely.

- May 16, 2022 – City Council adopts Ordinance 6662
 - Prior ordinance (6516) was intended to be temporary;
 - Purpose of prior ordinance was to allow remote meetings while in-person gatherings were not available due to COVID-19 pandemic;
 - In-person attendance at meetings is now possible;
 - City Council desires more flexibility with respect to remote participation to:
 1. Accommodate all abilities to attend meetings; and
 2. Ensure consistency between all advisory boards/commissions.
- Amends BCC 3.55.030(E)

Ordinance 6662 – Amendments

- Ordinance 6662 amends BCC 3.55.030(E) as follows:
 1. Encourages members to attend meetings in person when practicable.
 2. Remote participation must be approved in advance of the meeting.
 3. Presiding Officer must be physically present for any meeting.
 - If PO cannot be present, he/she must pass the role to a member who can be present.
 4. No more than 3 members may participate remotely during any meeting.
 - If by way of example, 4 members attempt to attend remotely, then the unapproved member will be marked absent and will not be able to participate in any discussion/vote. However, he/she may listen and participate as any member of public.

Mandatory Changes to Bylaws

- ESC must revise its bylaws consistent with the requirements of Ordinance 6662. No exceptions.
- The proposed revisions to Bylaws are consistent with the Ordinance.
 - Article III(A) – Amends duties of Presiding Officer.
 - Requires his/her in-person attendance at meetings.
 - If PO is unable to appear in person, he/she must pass role to someone who can appear in-person.
 - Article V(G) – Amends Remote Participation.
 - Members encouraged to attend in-person when practicable.
 - Remote participation must be approved by the ESC in advance of any meeting.
 - No more than 3 ESC members may participate remotely during any meeting.
 - Approved remote participation shall count towards quorum requirements.
- City Council will revisit whether future changes are needed in 1-year.

Discretionary Changes to Bylaws

- The proposed amendments to the bylaws do include some discretionary changes.
- These changes are proposed for:
 - Clarity;
 - Correct improper citations;
 - Consistency with the other advisory boards; and
 - Recognition meetings via TEAMS® or Zoom® will continue and we need to facilitate public comment.

Discretionary Changes to Bylaws

- Article I – Scope of Authority / Responsibility
 - Include reference to chapter 3.55 BCC.
- Article II – Membership and Organization of the Commission
 - Clarify that Quorum must be maintained throughout the entirety of meeting.
 - Correct typographical errors – capitalization.
- Article V - Meetings
 - Correct typographical errors and incorrect citations to statutory provisions.
 - Clarify that notice of anticipated absences should also be provided to assigned staff.
- Article VII – Public Comment
 - Clarify the process to coordinate public comment via remote participation.
 - Correct typographical errors.
 - Clarify that suspension of any rules must comport with the Open Public Meetings Act (OPMA) – chap. 42.30 RCW.
 - Clarify that City Staff is to serve as timekeeper; unless Chair should designate another appropriate person.
- Article VIII - Motions
 - Clarification re process to entertain a motion and facilitate discussion.
- Article XI - Minutes
 - Deleted text to ensure consistency with other advisory boards.
 - Correct typographical errors.
- Article XIV - Records
 - Clarify that tools are in place to manage emails sent to ESC members.

Questions



Next Steps

Staff will incorporate input from ESC members and bring back amendments to bylaws for adoptions at next regular/special meeting. Per ESC Bylaws XVI, any amendments must be approved by 2/3 of ESC Commission (or 5 members).

Thank You.

