

**LAKEWOOD WATER DISTRICT
PIERCE COUNTY, WASHINGTON**

RESOLUTION NO. B-1489

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LAKEWOOD WATER DISTRICT, PIERCE COUNTY, WASHINGTON, APPROVING AND AUTHORIZING THE LAKEWOOD WATER DISTRICT BOARD OF COMMISSIONERS HANDBOOK.

WHEREAS, Lakewood Water District (“District”) is a special purpose water-sewer municipal corporation authorized and existing under the laws of the State of Washington, Title 57 RCW; and

WHEREAS, the Board of Commissioners Handbook which the Commissioners developed to address a number of issues involved in handling business coming before the Board of Commissioners and in processing agenda items at Board of Commissioners meetings in a way that provides consistency and clarity in handling District Board of Commissioners action; and

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF THE LAKEWOOD WATER DISTRICT, LAKEWOOD, WASHINGTON, HEREBY RESOLVE, as follows:

BE IT RESOLVED by the Board of Commissioners of Lakewood Water District of Pierce County, Washington, as follows:

Section 1. That the Board of Commissioners Handbook are hereby reflected in the document marked as “Exhibit A”, a copy of which is attached hereto, and incorporated herein by this referenced.

Section 2. This Resolution shall be in full force and effect upon passage and signatures hereon.

ADOPTED by the Board of Commissioners of Lakewood Water District, Pierce County, Washington, at the regular open public meeting thereof held the 16th of May 2024.

LAKEWOOD WATER DISTRICT

By: 
John S. Korsmo, Commissioner and President

By: 
Gregory S. Rediske, Commissioner and Vice President

By: 
Gary J. Barton, Commissioner and Secretary



Lakewood Water District

COMMISSIONER HANDBOOK

Adopted May 16, 2024
Resolution No. B-1498



LAKEWOOD WATER DISTRICT COMMISSIONER HANDBOOK

Our Mission Statement

Serving healthy communities through responsible water practices.

Vision Statement

Investing in our community to provide life sustaining water now and into the future.

To us, investing in our community means:

- Protecting community health through safe drinking water
- Having a skilled and dedicated workforce
- Providing excellent customer service
- Community outreach and education

Core Values

Community

We belong to a diverse community. One made up of both customers and employees, where people are at the forefront of why we do what we do.

Quality

We care deeply about our work and the water we provide. Quality to us means investing in our employees, our infrastructure, and our practices to maintain a high standard of service.

Reliability

Reliability builds trust. You can rely on us to deliver consistent and dependable water service.

Responsibility

We are responsible to our community, to our employees, and to each other.

Transparency

Transparency means we communicate openly and honestly. We share in the successes and the challenges; we take accountability for our actions.

Table of Contents

SECTION 1	INTRODUCTION AND PURPOSE	2
1.1	Introduction	2
1.2	Purpose	2
1.3	Overview of Basic District Documents	2
1.3.1	District Administrative Code	2
1.3.2	Personnel Policies and Employee Handbook	2
1.3.3	Revised Code of Washington	2
1.3.4	Annual Budget	3
1.3.5	Financial Reports	3
1.3.6	Comprehensive Plans	3
1.3.7	5-year Capital Improvement Plan	3
1.3.8	District Correspondences	2
SECTION 2	BOARD OF COMMISSIONERS	4
2.1	Board Membership	4
2.2	Board Officers	4
2.3	Powers of Commissioners	4
2.3.1	Board	4
2.3.2	Board Decides District Policy	4
2.3.3	Board Action	4
2.3.4	Resolutions	4
2.3.5	Revised Code of Washington	4
2.3.6	No Speaking Agent without Authorization	4
2.3.7	Appointment of District General Manager	5
2.3.8	Authority of the Board	5
2.3.9	Litigation	5
2.4	Compensation	5
2.5	Board Committee Involvement and Volunteering	6
2.6	Travel and Reimbursement	6
2.6.1	Travel Involving an Overnight Stay	6
2.6.2	Reimbursement of Travel Expenses	6
2.6.3	Individual Meals	6
2.6.4	Use of Personal Vehicles	7
2.6.5	Cancelation	7
2.7	Conflicts of Interest	7

2.8	Vacancies.....	7
2.9	Excused Absences; Absenteeism	7
2.10	Anti-Nepotism Policy.....	8
2.11	Commissioners Prohibited from Employment with District	8
2.12	Commissioner Resignation.....	8
2.13	District Equipment	8
SECTION 3	BOARD OF COMMISSIONERS MEETINGS.....	9
3.1	Time and Place for Regular Meetings of the Board	9
3.2	Special Meetings	9
3.3	Meetings During a Declared Emergency.....	9
3.4	Work or Study Sessions Meetings.....	9
3.5	Meeting Agenda.....	9
3.6	Order of Business	10
3.7	Expectations of Commissioners.	10
3.8	Public Comment.....	10
3.9	Open Public Meeting.....	11
3.10	Executive Session	11
3.11	Quorum	11
3.12	Meeting Minutes.....	11
3.13	Conduct of Meeting and Mutual Respect	12
3.14	Remote Meeting Participation.....	12
3.15	Electronic Communications.	12
3.16	Electronic Devices	12
3.17	Commissioner Misconduct.....	13
SECTION 4	RELATIONSHIP BETWEEN BOARD AND DISTRICT GENERAL MANAGER AND STAFF	13
4.1	Overview	13
4.2	General Manager	13
4.3	Availability for Individual Meetings with Commissioners.....	13
4.4	Acting General Manager	13
4.5	Board of Commissioners Non-Interference with Staff and Consultants.....	14
4.6	Roles and Information Flow	14
4.7	Attorney for the District.....	14
SECTION 5	STATUTORY AND CONSTITUTIONAL REFERENCES	14
RCW 42.17A	Campaign Disclosure and Contribution.....	14
SECTION 6	REFERENCES TO SIGNIFICANT DISTRICT DOCUMENTS.....	15

SECTION 1 INTRODUCTION AND PURPOSE

1.1 Introduction

Lakewood Water District (“District”) is a municipal corporation governed by RCW Title 57. The District provides water services to residential and commercial customers in Pierce County and the City of Lakewood and wholesales water to multiple other communities in Pierce County. The District is governed by a non-partisan, elected, three-member Board of Commissioners (“Board”), which collectively sets the policy of the District and takes action in open public meetings.

The Board of Commissioners has formally adopted the protocols included in this handbook. Provisions contained herein will be reviewed as needed. The Board, by majority vote, in its sole discretion, reserves the right to revise this handbook at any time without notice.

1.2 Purpose

The purpose of this document is to serve as a resource for Board members, District Staff, and customers. These Commissioner Rules of Procedure:

- Explain the rules and procedures of the Board.
- Provide guidance on the respective roles and responsibilities of the Board and District Staff.
- Promote awareness and understanding in administering the Commissioner's fundamental duties and
- Highlight some of the most pertinent statutes and constitutional provisions that govern the District and the Board.

1.3 Overview of Basic District Documents

1.3.1 District Administrative Code

The administrative code contains District regulations adopted by resolution. In addition to those administrative matters, the administrative code includes a variety of regulations, including, but not limited to, health and safety issues and development-related standards.

1.3.2 Personnel Policies and Employee Handbook

It is the policy of the District to uphold, promote, and demand the highest standards of ethics from all of its elected officials and staff. Accordingly, District employees are expected to maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants, and never use their District position or powers for personal gain. The Personnel Policies and Employee Handbook serves as an overall guideline for staff conduct.

1.3.3 Revised Code of Washington

Numerous state statutes and administrative regulations govern the operation of all local governments, including the District. The District is a special purpose district vested with the powers set forth in [Title 57 Revised Code of Washington](#) (RCW).

1.3.4 Annual Budget

The annual budget is the primary tool and road map for accomplishing the goals of the District. The budget document is the result of one of the most important processes the District undertakes. By adopting the annual budget, the District makes policy decisions, sets priorities, allocates resources, and provides the framework for District operations. The District's financial year runs from January 1 through December 31. The budget should be prepared and adopted no later than December 31 of the preceding year. However, if necessary, the budget approval must be completed no later than January 31 for that year.

1.3.5 Financial Reports

The Finance Manager provides monthly financial reports at the Board meeting that include the District's financial condition as reflected in the balance sheet, the results of operations as reflected in income statements, and related cash and investment reports. The annual financial report includes the District's financial statements for the calendar year. It includes the District's financial condition as reflected in the balance sheet and the results of operations as reflected in income statements and related footnotes.

1.3.6 Comprehensive Plans

Pursuant to [Chapter 57.16 RCW](#), the water comprehensive plans address the District's long-range planning needs relative to the operation and maintenance of the District's water infrastructure. Comprehensive plans are reviewed on an ongoing basis and revised as required by State law.

1.3.7 5-year Capital Improvement Plan

The 5-year Capital Improvement Plan serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of the District. The Capital Improvement Plan also serves as the basis for the District's long-range planning and comprehensive plans.

1.3.8 District Correspondences

The Commission President is responsible for writing letters on behalf of the Commission. The Commission President is responsible for writing letters on behalf of the Commission. The President can either write the letters or delegate this task to a fellow commissioner; if a Commissioner is unavailable, then the President can delegate this task to a staff member. Before publication, the President reviews the letters. Other Commissioners may request to review the draft version of the letter and have comments returned for consideration within one week. The President can then consider that input and finalize the letter for publication. The District produces three newsletters, an Annual Water Quality & Business Report, and an annual rate increase letter. Each of these documents contains letters from the Board of Commissioners. During a commission meeting, the General Manager can be authorized to sign additional letters on behalf of the District.

SECTION 2 BOARD OF COMMISSIONERS

2.1 Board Membership

The non-partisan Board consists of three (3) members, all of whom shall reside in the corporate boundaries of the District. The term of office of each Commissioner is six (6) years. The six-year term of each Commissioner shall begin on the first day of January following the Commissioner's election or at such other time as the Commissioner is qualified to hold office. Elections for Commissioners will be held in odd-numbered years, with one Commissioner position up for election each odd-numbered year. See RCW 57.12.030 and Pierce County Elections.

2.2 Board Officers

Annually, typically at its first regular meeting in January each year,, the Board shall elect a President, Vice President, and Secretary. The Board may, by majority vote, remove or change an officer or officers at any time. The President shall preside over all meetings. In the President's absence, the Vice President shall function as the presiding officer of the Board. In the case of a vacancy on the Board, the Board will re-elect officers at the first regular meeting after the vacancy has been filled.

2.3 Powers of Commissioners

2.3.1 Board

The powers of the Board reside in the Board as a whole. An individual Commissioner has no power to act on behalf of the Board or the District unless expressly authorized by the Board.

2.3.2 Board Decides District Policy

The Board shall decide all matters of policy of the District. The Board may not delegate its power to decide a matter of District policy.

2.3.3 Board Action

The Board acts only by Board majority (two or more Board members) voting in favor of a motion or in favor of adopting a resolution during the open session of a regular or special meeting.

2.3.4 Resolutions

Although the Board may act either by approving a motion or by resolution, a resolution is the preferred method for approving a contract requiring a Board member's signature or adopting a policy. Each Commissioner present shall sign the adopted resolution.

2.3.5 Revised Code of Washington

Numerous state statutes and administrative regulations govern the operation of all local governments, including the District. The District is a special purpose district vested with the powers set forth in [Title 57 Revised Code of Washington](#) (RCW).

2.3.6 No Speaking Agent without Authorization

Other than explaining or discussing Board approved action(s) or policies, or unless and only to the extent expressly authorized by the Board, no Commissioner may speak publicly on behalf of the District or the Board. This applies to both written and verbal communications. Absent

such express authorization, any Commissioner speaking publicly about the District or matters that affect the District must clearly explain that the statement is the speaker's personal position and not a statement on behalf of the District or the Board. Any Commissioner who violates this Section shall be subject to Board action, including but not limited to a motion of censure.

2.3.7 Appointment of District General Manager

The Board has the power to appoint, terminate, and review the performance of the General Manager. The General Manager reports to and is supervised by the Board subject to any employment agreement or contract. The General Manager is responsible for hiring, terminating, and supervising all other personnel employed by the District.

2.3.8 Authority of the Board.

The Board has the authority, on behalf of the District, to exercise all the express and implied powers of the District pursuant to Title 57 RCW and other statutes and regulations. This includes, but is not limited to, the sole authority to set rates and approve the District's Comprehensive Plan, Capital Improvement Plan, operating and capital budgets, and any amendments thereto. The Board also has the sole power to approve contracts. The Board may, by resolution, delegate its authority to approve or sign contracts on behalf of the District to the General Manager and may limit that delegation, in its sole discretion, to certain types of agreements or contracts below a specific dollar amount.

2.3.9 Litigation.

The Board has the power to authorize the initiation of litigation or to approve the settlement of a claim. The Board's power to settle a claim may be limited by an agreement with an insurance company or governmental insurance pool. The Board may delegate its power to initiate or settle litigation to the General Manager subject to certain maximum dollar amounts or other Board direction. No specific Board authorization is required to authorize the attorney for the District to initiate litigation to collect on a delinquent account or foreclose on a real property lien pursuant to RCW 57.08.081, or as such statutes may be modified or superseded.

2.4 Compensation

Commissioners are compensated per state law (RCW 57.12.010). They are entitled to statutory compensation for each day or portion spent in actual attendance at Board meetings or in performing other official services or duties on behalf of the District. The Board shall determine and preapprove compensation for attendance at meetings other than regular or special meetings of the Board and any other compensable time spent in the performance of other official services or duties on behalf of the District, subject to the statutory maximum. In the event that a Commissioner attends a meeting or performs what that Commissioner believes to be other official services or duties on behalf of the District without preapproval from the Board, then the Board may approve the compensation for the Commissioner at the next regularly scheduled Board meeting.

A Commissioner shall be entitled to statutory compensation without preapproval for attendance of any regular or special Board of Commissioners meeting. Compensation shall also be considered by the Board for an individual Commissioner's attendance at other

meetings subject to pre-approval. Other meetings may include, but are not be limited to:

- Washington Association of Sewer and Water Districts (WASWD) events including fall and spring conferences, Section II meetings, commissioner workshops, and WASWD Board meetings.
- Educational or training seminars or conferences on policies related to water industry or public agency approved by the Board during the annual budget process, or pre-approved on a case-by-case basis.
- Puget Sound Regional Council (the Board shall authorize one Commissioner to attend on behalf of the District).
- Court or Administrative Hearings involving the District or an issue of significant interest to the District as pre-approved by the Board.

2.5 Board Committee Involvement and Volunteering

Any Commissioners wishing to become involved in a committee or organization shall discuss what they believe are the benefits to the District at a regularly scheduled Board meeting. The Board shall discuss the merits and values of the District's involvement and advantages for ratepayers. The anticipated level of involvement and impact on District staff and financial resources shall be discussed as well.

2.6 Travel and Reimbursement

Commissioners are subject to the following travel policy:

The General Manager must approve all travel expenditures a Commissioner seeks to have reimbursed. The General Manager shall only authorize reimbursement of travel expenses for matters related directly to the Commissioner's official duties as a Commissioner for the District. If the General Manager does not approve a travel expenditure submitted by a Commissioner for reimbursement, then the Commissioner may request the Board as a whole approve the travel expenditure.

2.6.1 Travel Involving an Overnight Stay

All reasonable transportation expenses for approved travel will be reimbursed. Any travel involving an overnight stay should have the prior approval of the General Manager. Commissioners should endeavor to attend training and conferences in the state whenever possible if such training or conference is of comparable value to that offered out of state.

2.6.2 Reimbursement of Travel Expenses

A fully itemized claim for expense reimbursement must be submitted to the General Manager or their designee within 15 calendar days of return from travel, along with documentation of attendance in the form of a copy of the cover sheet of the program or agenda for the event attended.

2.6.3 Individual Meals

Reasonable costs of necessary meals while conducting District business are reimbursable.

- a. Detailed receipts must accompany all reimbursement claims.
- b. Reimbursement will not be paid for alcoholic beverages.

- c. Reimbursement will not be paid for expenses for spouses, guests, non-employees, or other persons not authorized to receive reimbursement under this policy or State regulations.
- d. One person may claim reimbursement for several employees or officials eating together as long as all the names are listed on the reimbursement claim.
- e. All out-of-town lodging arrangements should be charged to a District credit card whenever possible.

2.6.4 Use of Personal Vehicles

Mileage for the use of personal vehicles in connection with District business will be reimbursed at the rate authorized in RCW 43.03.060. Reimbursement shall only be made to the owner of the vehicle.

2.6.5 Cancellation

Commissioners shall adhere to cancellation deadlines when canceling training, conferences, and related travel. Except in the case of a personal or family emergency or in the event the cancellation was a District business decision, a Commissioner may not be reimbursed for expenses relating to a training, conference, or other event they did not attend and shall reimburse the District for any pre-paid expenses.

2.7 Conflicts of Interest

Commissioners are subject to the Code of Ethics for Municipal Officer – Contract Interests (RCW 42.23). When a conflict of interest exists, the Commissioners must (a) declare that a conflict of interest exists at an open public meeting and ensure that such declaration is reflected in the approved minutes of the meeting and (b) refrain from voting or in any way influencing a decision of the Board, unless the Commissioner’s vote is necessary based on the opinion of District Counsel. In all instances, each Commissioner shall comply with all requirements in Chapter 42.23 RCW.

2.8 Vacancies

In the event of a vacancy on the Board, the Board shall direct the General Manager to notify Pierce County Elections of the vacancy. The Board shall fill the vacancy pursuant to RCW 57.12.020 and Chapter 42.12 RCW, which currently provides that when a Commissioner position is vacant, the remaining members of the Board shall, after certain public notice requirements, appoint a qualified person to fill the vacancy within 90 days.

2.9 Excused Absences; Absenteeism

If a Commissioner knows that they will miss all or part of a scheduled meeting of the Board, then such Commissioner shall promptly, and if possible, in advance, notify the General Manager or the Board President of the absence and the reason, therefore. The Commissioners may, by motion at a meeting of the Board, determine if a Commissioner’s absence is excused or unexcused. If a Commissioner has three consecutive unexcused absences, that Commissioner’s position may be declared vacant pursuant to RCW 57.12.020. After a Commissioner’s second consecutive unexcused absence, the Board President or Vice President shall send written notice to that Commissioner notifying them of the potential ramifications of a third consecutive unexcused absence. A Commissioner should not have more than four unexcused absences over a rolling one-year period. A Commissioner who has had more than four unexcused absences in a rolling one-year period may be subject to discipline pursuant to Section 3.17 of this handbook, as well as the

provisions of RCW 57.12.020 if applicable.

2.10 Anti-Nepotism Policy

Commissioners shall be aware that District policy prohibits the employment of the relative of any Commissioner to avoid the appearance of improper influence or favor and to protect the District's confidentiality. "Relative" shall include the following: Father, Father-in-law, Stepfather; Mother, Mother-in-law, Stepmother; Son, Son-in-law, Stepson; Daughter, Daughter-in-law, Stepdaughter; Grandparents; Grandchildren; Sister, Sister-in-law, Stepsister; Brother, Brother-in-law, Stepbrother; Spouse, Registered Domestic Partner; Half-brother, Half-sister, Uncle, Aunt, Cousin, Nephew, and Niece.

2.11 Commissioners Prohibited from Employment with District

While serving as a Commissioner, an individual may not be employed by the District on a full or part-time basis. A Commissioner who applies for an open District position shall resign from the Board prior to applying for the position.

2.12 Commissioner Resignation

If a Commissioner resigns from the Board before their term of office is up, a new Commissioner will be appointed to fill the vacated position as provided by [RCW 57.12.020](#), as amended.

2.13 District Equipment

All District property, equipment, electronics, and services shall be used exclusively for District purposes. If the District, in its sole discretion, provides Commissioners with equipment, including but not limited to a cellular phone or electronic device, the equipment shall be used for District business only. Commissioners shall not use the premises, vehicles, equipment, or tools of the District for personal purposes at any time.

The Commissioners are also responsible for the care and safeguarding of the equipment provided to them by the District, ensuring that unauthorized users are not allowed to access or use any District-provided equipment. Unauthorized or improper use of equipment may result in the District revoking its permission for the Commissioner to use the equipment, in which case the Commissioner shall return the equipment to the District promptly upon demand.

In the event of lost, stolen, or damaged equipment, the Commissioner shall notify the General Manager immediately. If the incident is due to the Commissioner's negligence or intentional misconduct, as determined by the Board, the Commissioner shall be responsible for the full replacement cost of the equipment.

When a Commissioner leaves office, all District property in the Commissioner's possession shall be immediately returned to the General Manager. Failure to do so will result in the Commissioner being charged for the full replacement cost of the unreturned District property.

All District-related or issued programs, applications, software, data, and information stored on any District electronic device remain the sole and exclusive property of the District. Commissioners are reminded that correspondence, communications, and information stored on any District electronic device may constitute public records subject to the Public Records Act. To avoid any comingling of

public and personal information, Commissioners are **strongly** discouraged from sending, receiving, or storing personal correspondence, communications, and information on any District-provided electronic device and should not delete or remove any District-related correspondence, communications, or information from such device without first consulting with the General Manager or the General Manager’s designee to ensure that proper measures are taken to preserve and archive any records maintained on the electronic device.

SECTION 3 BOARD OF COMMISSIONERS MEETINGS

3.1 Time and Place for Regular Meetings of the Board

The regular meeting date of the Board is the third Thursday of each month. Regular meetings are held at the District’s Office, located at 11900 Gravelly Lake Dr. SW, Lakewood, Washington. Board meetings due to conflicts with holidays, conferences, or other reasons that cause the need to reschedule the regular meeting will be a Special Board of Commissioners meeting. The Board may, by motion, change the date, time, or place of a regular meeting to avoid conflicts with other Commissioner duties, and such change will be called a Special Board meeting.

3.2 Special Meetings

Special meetings of the Board are governed by RCW 42.30.080, which permits such meetings to be called at any time by the Board President or a majority of the members of the Board by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the Board. Notice shall promptly, and no later than 24 hours before the special meeting, be posted on the District website, on the front door of the District office, and provided to local media as required by law. In the event of an emergency, the Board may conduct a special meeting in conformance with RCW 42.30.070 and RCW 42.30.080 or comparable statutory provisions in effect at that time.

3.3 Meetings During a Declared Emergency

In the event of an emergency or disaster, the Board President or General Manager may declare a District Emergency under state law and resolution number B-1488. A special meeting of the Board of Commissioners can be called without 24-hour notice after the event, allowing members of the Board and the General Manager to meet. An emergency meeting will be held to brief the Board and approve of the actions and matters related to the declaration of the emergency.

The Board shall be permitted to hold remote meetings without a physical location during declared emergencies in accordance with Chapter 42.30 RCW.

3.4 Work or Study Sessions Meetings

The Board may schedule a special meeting classified as a “study session” or “work session” that allows the Board to study certain issues in more depth than possible at a regular Board meeting. A work session will be open to the public and is subject to the Open Public Meetings Act. Public comment will be allowed at the start of the session; however, beyond that, no further audience participation will be allowed without approval by the Board majority.

3.5 Meeting Agenda

The General Manager will prepare the agenda for each Board meeting and share it with their designated staff, who will be responsible for specifying the time and place of the meeting and a list

of the agenda items listed for consideration by the Board of Commissioners.

It is the practice of sending out the agenda to Commissioners five days, and ideally at least two business days before each Board meeting. Commissioners may still add to or adjust the agenda at each meeting.

3.6 Order of Business

The Board President calls the meeting to order. The Board President will announce the attendance of Board Members and indicate any Board Member who is not in attendance and whether or not the Board Member's absence is excused. With the concurrence of the Board members, the Board President may take agenda items out of order. Agenda items may be added pursuant to the approval of the majority of Board members. If the President is absent, the Vice President shall convene the meeting and proceed with the agenda given by the General Manager or as adjusted by the Board.

3.7 Expectations of Commissioners.

Commissioners will strive for the following in the exercise of their office:

- Conscientiously and consistently attend Board meetings.
- Adequately prepare for meetings by reading the agenda packet and related materials and asking questions when necessary to ensure an understanding of an issue before deciding. At meetings, pay attention, ask questions, listen to others, and treat all present with courtesy and respect.
- Consider the short-term and long-term needs of the District, the options available, and the impacts of each option.
- Scrupulously avoid any conflict of interest or the appearance of unfairness.
- Take seriously the role of a steward of public funds.
- Treat District staff with respect, understanding that the Board and staff each play a distinct but crucial role in the success of the District.
- Once a decision is made, support the decision of the Board, even if not on the prevailing side, and do not undermine District staff charged with executing that decision.
- Read and become familiar with the relevant statutes and legal provisions that apply to the Board's work, the Open Public Meetings Act, and the Public Records Act, and fulfill the statutory requirements for training.
- Participate in training and conferences to better understand the duties of commissioners and statewide water issues.
- Represent the District to the customers, the larger community, and the industry in a positive manner.
- Always remember that only the Board, not an individual Commissioner, has the power to set policy or take action.
- Understand and abide by the role of a Commissioner in setting policy and support the General Manager in their role of managing the District's operations.

3.8 Public Comment

The Board will accept public comment after the call to order at the beginning and ending of each meeting. Public Comment can be provided orally or in writing. During "Public Comment" speakers

may speak to any topic except those topics scheduled for a public hearing during the meeting. Where final action is to be taken the Board will allow public comments orally or in writing (RCW 42.30.240). Absent permission of the Board to extend, each speaker is limited to (3) minutes. A person speaking on behalf of a group of more than five (5) in attendance or written proof that more than five (5) designated as spokesperson may speak for a total of five (5) minutes. If there are more persons wishing to be heard than can be accommodated in 30 minutes, the Board President may reduce the minutes allotted to each speaker to accommodate more speakers.

The Board President may direct staff to keep the time for each speaker. Once public comment is closed and the Board moves on to the next agenda item, the Board is not obliged to accept any further public comments except as part of a public hearing. The Board will accept written comments that are submitted up to 48 hours prior to the meeting.

3.9 Open Public Meeting

All meetings of the Board are subject to the Open Public Meetings Act (OPMA) (Chapter 42.30 RCW). Except for matters that are authorized for executive session or other closed session under Chapter 42.30 RCW, or other statutes, all portions of a regular and special meeting shall be in open session.

Under Washington case law interpreting the OPMA, all discussions relating to District business with a majority of the members of the Board are potentially subject to the OPMA, including telephonic or other remote communications. Further, as discussed in Section 3.14 of this handbook, this can include serial communications such as email or text messages. Commissioners are **strongly** advised to discuss District business **only** at a regular or special Board meeting.

3.10 Executive Session

Executive sessions are authorized and governed by RCW 42.30.110 and can only be held for purposes stated in RCW 42.30.110. Prior to going into the executive session, the President of the Board shall state the purpose of the executive session, specify the time when the executive session will commence, when it will be concluded, and whether any Board action is expected following the executive session. The Commissioners, necessary staff, professional consultants (if necessary), and the attorney for the District may move to a nearby room to conduct the executive session should members of the public be present. There shall be no audio or video recording of any executive session. When the executive session concludes, those present in the executive session will return to the Board Room to reopen the session. The announced purpose for the executive session shall be stated in the meeting minutes.

3.11 Quorum

Board majority shall constitute a quorum and is necessary for the transaction of any District business.

3.12 Meeting Minutes

At the direction of the General Manager, a designated staff member shall prepare minutes of regular and special meetings of the Board. A set of draft minutes shall be included in the Board agenda packet and considered at the next Board meeting. Final approved minutes shall be signed by the Commissioners and posted on the District website. Aside from approved resolutions, the

approved meeting minutes shall be the official record of Board action.

3.13 Conduct of Meeting and Mutual Respect

Commissioners shall conduct themselves in a respectful manner during meetings and avoid insulting or rude language toward each other, District staff, or members of the public. A Commissioner shall neither, by conversation or otherwise, delay or interrupt the proceedings of the Board nor interrupt any other Commissioner while speaking.

3.14 Remote Meeting Participation

Commissioner participation in a regular or special Board meeting via video or telephone conference call is allowed.. If unforeseen circumstances necessitate a Commissioner only to attend remotely, the Commissioner should attempt to provide at least 48 hours' notice to the General Manager. A Commissioner participating remotely must be able to hear and be heard by all other participants and attendees at the meeting.

3.15 Electronic Communications.

Commissioners are **strongly** encouraged to use the District's email system and District-provided equipment when conducting District business.

Email communications intended for review by all Commissioners, whether concurrently or serially, must follow the OPMA requirements. If the intended purpose of the email is to have a discussion that should be held in an open meeting, then the electronic discussion should not occur. The use of email communications to form a collective decision of the Board is inappropriate and is likely a violation of the OPMA.

Due to the difficulty in retaining and archiving records created by text messaging, for the purposes of compliance with the Public Records Act, Commissioners shall not use text messaging as a form of communication relating to District business.

3.16 Electronic Devices

To enhance Commissioners' service to the ratepayers and their ability to communicate with staff and the public, the District provides electronic devices, such as tablets, for official District business. The District information technology service provider will ensure that all appropriate software/applications are installed and up to date and will provide an orientation in the use of the device and related software/applications. Commissioners shall not install additional software on their District-issued devices. Should a Commissioner desire a particular software program or application, the Commissioner shall request that the General Manager have the District's Information Technology (IT) department staff install it if appropriate.

- Commissioners must adhere to all policies under the District's security policies.
- Virus protection software and other security protocols must never be disabled or weakened at any time for any reason.
- Personal media and programs may not be stored on District-owned devices. Non-District-issued programs or media found during audits will be removed.
- When individual Commissioners have completed their term of office, District-owned equipment will be returned upon leaving office.

- District-owned equipment is subject to audit at any time. A violation of the policies described in this chapter or in the District's security policies may result in the District confiscating the device.

3.17 Commissioner Misconduct

The Board has the authority to discipline a Commissioner who violates these Rules of Procedure, including but not limited to Sections 2.3.6, 2.5, 2.9, 3.13, or 3.14, or violates any applicable law, regulation, or statute. Such discipline may include a warning, reprimand, censure, or limitation on Commissioner privileges, including representing the District at any outside meeting or event, attending meetings, training or educational seminars, or any combination thereof. A Commissioner who is the subject of a motion for disciplinary action may vote and be heard on the motion.

SECTION 4 RELATIONSHIP BETWEEN BOARD AND DISTRICT GENERAL MANAGER AND STAFF

4.1 Overview

The Board sets the policy for the District, and that policy is implemented by the District staff under the direction of the General Manager. To successfully implement policy, it is critical that Commissioners and staff understand and respect their separate roles. Another role of the Board is to establish priorities and goals for the General Manager. The Board hires the General Manager to implement the policies and to manage District staff, administration, and operations.

4.2 General Manager

The General Manager is the District's chief executive officer, and dealings between the General Manager and Commissioners should be marked by respect for their respective roles. The General Manager is responsible to the Board as a whole and not to individual Commissioners. The General Manager supervises the District's daily operations, reports to the Board regarding the General Manager's supervision of District operations, and makes recommendations to the Board. The Board authorizes positions and approves the budget for these positions, but it is the General Manager who makes the appointments of all department managers and is responsible for all other personnel decisions. The General Manager is responsible for hiring, supervising, disciplining, and terminating District personnel.

4.3 Availability for Individual Meetings with Commissioners

The General Manager appreciates, and at times may request, the opportunity to meet with one Commissioner at a time during normal business hours to answer questions or discuss issues or concerns related to the District. In no event may a quorum of Commissioners be present at a meeting with the General Manager other than during a regular or special meeting of the entire Board. Attendance at water industry events where the General Manager and more than one Commissioner may be in attendance is not considered a meeting if no District business is discussed by the attending Commissioners.

4.4 Acting General Manager

When the General Manager is absent and unavailable for an extended period due to vacation or illness, the General Manager shall designate an Acting General Manager.

4.5 Board of Commissioners Non-Interference with Staff and Consultants

The Board is to work through the General Manager when dealing with the District's staff. The Board shall not direct or give orders to any subordinate of the General Manager. The Board's primary staff contact person is the General Manager. During an open session of a Board meeting, Commissioners may fully and freely discuss with the General Manager anything pertaining to the performance of duties by District employees or pertaining to District affairs. In no manner, either directly or indirectly, should a Commissioner become involved in or attempt to influence personnel matters under the General Manager's direction. Nor shall the Board be involved in, or influence, the purchase of any supplies beyond the requirements of the District procurement procedures. Except for the purposes of inquiry, the Board and its members should deal with the staff through the General Manager or designee and should not give orders to any subordinate of the General Manager. Subject to [RCW 42.30.110](#) and [RCW 42.30.140](#), the Board may, while in open session, fully and freely discuss with the General Manager anything pertaining to appointments and removals of District employees and any other District affairs. The Board is to work through the General Manager when dealing with hired consultants, including engineers, outside accountants, and special legal counsel. Individual Commissioners should not, directly or indirectly, attempt to influence personnel matters that are under the General Manager's control.

4.6 Roles and Information Flow

Commissioners will direct all requests for information directly to the General Manager. The General Manager may respond directly or direct another staff member to respond. The only exception is a request for information made to a management-level staff member present during an open public meeting. Sharing information with the Board is one of the General Manager's highest priorities.

4.7 Attorney for the District

The attorney for the District serves as general legal counsel and is hired by the General Manager, and reports to both the General Manager and the Board. The attorney for the District does not represent any individual Commissioner, but rather the Board and the District as a whole. In addition to being the legal advisor to the Board, the attorney for the District provides legal counsel to the General Manager and other management level staff as approved by the General Manager. The attorney for the District may represent the District in formal litigation. From time to time, the attorney for the District may work with the Board and General Manager to recommend that the Board retain special legal counsel to represent the District in a particular matter. The District may also have other outside attorney services for Human Resources, Construction, Contracting, Water Rights, or other areas of focus as deemed beneficial to the District by the General Manager.

SECTION 5 STATUTORY AND CONSTITUTIONAL REFERENCES

Commissioners should refer to and be familiar with the following statutes that apply to the District in general and Board governance. These statutes are subject to amendment by the Washington State Legislature. To the extent there is any conflict between this Commissioners Handbook and a statute, the statute controls.

RCW 42.17A	Campaign Disclosure and Contribution http://app.leg.wa.gov/rcw/default.aspx?cite=42.17a
RCW 42.23	Code of Municipal Officers – Contract Interests

<http://app.leg.wa.gov/RCW/default.aspx?cite=42.23>

RCW 42.30	Open Public Meetings Act http://apps.leg.wa.gov/rcw/default.aspx?cite=42.30
RCW 42.56	Public Records Act http://apps.leg.wa.gov/RCW/default.aspx?cite=42.56
RCW 57	Water – Sewer Districts http://apps.leg.wa.gov/rcw/default.aspx?Cite=57

Commissioners should also be familiar with the following Constitutional prohibition against gifting or loaning public funds:

Washington State Constitution, Article VIII, § 7. Credit Not to Be Loaned

No county, city, town, or other municipal corporation shall hereafter give any money, property, or loan its money, or credit to or in aid of any individual, association, company, or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company, or corporation.

SECTION 6 REFERENCES TO SIGNIFICANT DISTRICT DOCUMENTS

Commissioners shall be made aware of, and should review and be familiar with, the following District documents. Upon request, hardcopies will be provided:

- Board of Commissioner Handbook
- District Administrative Code
- Comprehensive Water System Plan
- Employee Policy Handbook
- Annual Operating and Capital Budget
- Purchasing Policy Manual