

CITY OF TACOMA
CITIZEN COMMISSION ON ELECTED SALARIES

BYLAWS

ARTICLE I – OBJECTIVE

Establishment

Pursuant to Section 2.25 of the City Charter, the City Council shall commence a comprehensive review of the City Charter no less frequently than once every ten years by appointing citizens to a Charter Review Committee. In 2014 the Charter Review Committee met and forwarded to the City Council amendments to the City Charter. At the City Council meeting of July 15, 2014, the City Council forwarded 12 proposed Charter amendments to be placed on the November 4, 2014 ballot. Amended Resolution No 38956 amended Section 2.3 of the City Charter to create a Citizen Commission on Elected Salaries.

Duties and Responsibilities

The Citizen Commission on Elected Salaries will determine the compensation and salary of the Mayor and each Council Member. The Commission shall set the salary and any salary changes for the Mayor and Council Members. The salary and any salary changes set by the Commission shall be adopted by the City Council. The Commission shall meet each year in one or more regular or special meetings to carry out its duties set forth in this section. **Determination for any change in the salaries of these elected officials shall be filed with the City Clerk and transmitted to the Council for adoption no later than September 1 of the calendar year.**

ARTICLE II – MEMBERS

Section 1. Appointment and Eligibility. The Citizen Commission on Elected Salaries shall consist of seven members, appointed as follows: Five of the seven Commission Members shall be selected by lot by the County Auditor from among those registered City of Tacoma voters eligible to vote at the time the persons are selected for appointment to the Commission. There shall be one member selected from each of the City’s Council districts. The remaining two of the seven Commission members must be residents of the City of Tacoma and shall be appointed by the Mayor and confirmed by the Council. One person shall have experience in human resource management. The second person shall have experience in the legal profession.

Members of the Commission may not include any public office holder, filed candidate for public office, officer, official or employee of the City of Tacoma or any of their immediate family members. For the purpose of this section, the phrase “immediate family member” means the parents, spouse, siblings, children or dependent relative of any officer, official or employee whether or not living in the household of the officer, official or employee.

Section 2. Terms. The terms of the Commission shall be as follows: (1) The terms of office for the members shall be three years, except initial appointment to the Commission shall be for the following terms: (2) For the members selected by lot by the Auditor, two shall be appointed to serve a one-year term, two shall be appointed to a two-year term, and the remaining member shall be appointed to serve a three-year term. (3) For the members selected by the Mayor and confirmed by the Council, one shall serve a one-year term and one shall serve a three-year term.

Section 3. Vacancies. Upon a vacancy in any position on the Commission, a successor shall be selected and appointed to fill the unexpired term in the same manner as outlined in this Article.

ARTICLE III – OFFICERS

Section 1. Committee – Officers. There shall be a Chair and Vice Chair. The Officers should be interested in holding the position(s); be able to devote sufficient time to Commission business and attend as many Commission meetings as possible; and work to ensure that the Commission acts within the authority granted to it by the City’s Charter, Code, Resolutions, and Ordinances and that it remains compliant with the Revised Code of Washington and all federal laws and regulations.

Section 2. Election of Officers. The Chair and Vice-Chair are nominated and voted upon in a Commission meeting and elected by majority vote.

The regular terms of office of Chair and Vice Chair are one year, with the regular election occurring at the Commission’s regular August meeting in a given year. In the case of death, resignation or removal of any officer, the Commission shall elect from among its members a person to serve the remaining term resulting from the vacancy.

In the event that a timely election does not take place, the term of an incumbent shall be extended until such time as the election is completed. The newly elected officer will fulfill the remainder of the term of office.

ARTICLE IV – DUTIES OF OFFICERS

Section 1. Presiding Officer – Chair. The Chair shall be the presiding officer, or in their absence, the Vice-Chair, shall conduct the business and deliberation of the Commission under these rules. If both Chair and Vice-Chair are absent and a quorum is present, a quorum may nominate a Commission member to preside over the meeting in their absence.

Section 2. Duties of Chair. The Chair shall:

- 1) Conduct the meeting.
- 2) Preserve order and decorum in the meeting.
- 3) Decide all questions of order, subject to the appeal of the Commission.
- 4) Recognize the members of the Commission in the order in which they request recognition.

No member shall be recognized and permitted to speak on the same matter more than once until after all other members of the Commission have had an opportunity to be recognized and heard.

- 5) Observe and enforce all rules adopted by the Commission.
- 6) Carry out actions approved by the Commission, which includes signing Decisions adopted by the Commission and other documents whose execution requires a signature on behalf of the Commission.

Section 3. Rights of the Officers. The Chair and Vice-chair, as members of the Commission, shall have the same rights and be governed by the same rules as other Commission members.

ARTICLE V – MEETINGS

Section 1. Open Public Meetings Act. All meetings shall comply with the Washington State Open Public Meetings Act (Revised Code of Washington, Chapter 42.30). Communications between a quorum of members including E-mail exchanges, texts, or social media messages can constitute a violation of the Washington State Open Public Meetings Act (OPMA), Chapter 42.30 RCW. Generally, if a majority of the members participate in a discussion of Commission business in any manner, the members are conducting a meeting in violation of the OPMA requirement that meetings must be “open to the public with prior notice.” When possible, limit messaging on issues related to Commission business to less than a majority of Commission members. Sending messages to less than a majority may not suffice if subsequent exchanges relay the content of the original exchange to a majority of members. One-sided (no response anticipated) informational e-mails to a majority or more of Commission members who only passively receive that information are probably consistent with the OPMA. In open meetings, the Commission members should verbally announce that they have sent this type of e-mail if it relates to the discussion at hand. Commission members are free to engage in e-mail exchanges

with staff on one-sided e-mails, but not with each other. E-mail exchanges on issues that the Commission will not address are consistent with the OPMA. However, if any reasonable chance exists that an issue relates to a vote that may or will come before the Commission, a majority of the Commission should not subject the issue to e-mail discussion.

All members shall comply with the Open Government Training required by Chapter 42.30.205 RCW within 90 days of taking oath of office, follow up training at least every four years, and as recommended by the City Attorney.

Section 2. Time and Location. The Commission meets quarterly, and in the preceding calendar year will establish and post a schedule for the Commission regular meeting dates for the next calendar year, which will include the time and location. Due to special circumstances, the regular meeting date and place may be changed or additional meetings may be scheduled as Special Meetings by the Commission. The times and dates of all meetings will be publicized as required by law and are open to the public. Copies of the annual schedule, agenda, and the Commission minutes will be posted on the City's website and made available by the Staff Liaison, whose contact information shall also be posted on the City's website.

Section 3. Quorum Required. A quorum for the transaction of business will consist of four members.

Section 4. Special Meetings. Special meetings shall be held at the discretion of the Chair or Vice Chair in the absence of the chair, or at the request of two or more members of the Commission. All special meetings will be subject to the Washington State Open Public Meetings Act of 1971 (as amended by Chapter No. 69 and 366, Laws of 1985, and any further adopted amendments). The requesting party(ies) will submit in writing such request for special meeting and agenda item(s) to be covered at the time of such request.

Section 5. Order of Business. Except as may be otherwise directed by the Chair, or by action of the Commission, the order of business shall generally be as follows:

- 1) Call to Order
- 2) Roll Call
- 3) Adoption of the Agenda
- 4) Adoption of the Minutes
- 5) Public Comment
- 6) Discussion Items
- 7) Communication – This may include other business brought forward by Commissioners, comments by Commissioners, and comments and additional information provided by Staff
- 8) Adjournment

Section 6. Voting and Rules of Order. Meetings shall be conducted formally in the manner common to like boards or committees. Robert’s Rules of Order shall be followed. Every official act taken by the Commission shall be by motion by an affirmative vote of a majority of the quorum. In the event that a member disqualifies themselves or passes, this is to be registered as "not voting".

Section 7. Suspension of Rules. No rule shall be suspended except by a majority vote of Commission members present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote, or by roll call if requested by a member. The Chair can adjust the order of the meeting agenda.

Section 8. Electronic Participation. Members of the Commission may participate in a meeting through electronic communications, teleconferencing, videoconferencing, or other appropriate technology available at the meeting location that enables all persons participating in the meeting to communicate with each other simultaneously and instantaneously. Participation in such a meeting shall constitute presence in person at such meeting, and that presence shall count toward a quorum of the Commission for all purposes.

Section 9. Absences. Members are expected to attend Commission meetings and to fully participate in and contribute to the work of the Commission. Any member anticipating absence from a meeting should notify the Chair and Staff Liaison in advance, so that the absence may be excused by the Commission at the meeting. Any member who is absent from three consecutive meetings without being excused or six meetings in a calendar year, whether excused or unexcused, should be deemed to have forfeited the office and the Chair should recommend to the City Council that a new member be appointed to fill the unexpired term of such vacancy. When a member misses three meetings within a six-month period, the Chair should discuss with the member the implications of their lack of attendance and options for improvement. If the circumstances are expected to continue unimproved, the member may be asked to consider resigning from the Commission. If the member does not resign, the Commission should hold a vote on whether it should recommend to the City Council that the member be removed and that a new member be appointed to fill the unexpired term. For the purpose of this provision, “meetings” shall mean “regular meetings” as defined in Section 2 above.

ARTICLE VI – SUB-COMMITTEE

The Commission may appoint a sub-committee to review or research any pertinent information and provide the Committee with a recommendation. Once the recommendation has been made to the Commission, the sub-committee’s responsibilities shall cease unless they are a permanently assigned to a sub-committee. Sub-committee meetings will be posted and conducted as per the Open Public Meeting Act.

ARTICLE VIII – MISCELLANEOUS

Section 1. Commission Records. Records of the Commission shall be maintained by the Staff Liaison. Agendas, Minutes, Bylaws, Policies, and Decisions shall be posted on the City’s website. Records that may be lawfully destroyed, shall not be destroyed in the absence of approval by the Commission. All Commission Decisions shall be recorded in the Minutes.

Section 2. Waiver of Notice. Any Officer or Commission member may waive, in writing, any notice required to given by the laws of the State of Washington or under these Bylaws, whether before or after the time stated therein.

Section 3. Amendments. These Bylaws may be altered, amended or repealed by resolution of the Commission members at any meeting consistent with the quorum provisions of these By-Laws. Any Commission member may submit a proposed amendment to the Bylaws.

Adopted: May 6, 2024