



## **TOWN OF FRIDAY HARBOR PUBLIC MEETING POLICY**

### **MEETINGS, GUIDELINES, AND ROLES**

All meetings of the Town Council and its appointed commissions and boards are open to public attendance, except for those portions that may be lawfully closed to the public under the provisions of the Open Public Meetings Act (OPMA). Meeting procedures follow Robert's Rules of Order to ensure fairness, efficiency, and order.

#### **I. REGULAR BUSINESS MEETINGS**

Regular Business Meetings of the Town Council are held on the first and third Thursday of each month at 12 noon in council chambers at 290 West Street. Meetings that fall on a holiday are rescheduled and noticed in accordance with the OPMA. The council may continue a meeting to a future date and time, as determined prior to the conclusion of the regular meeting. The meeting agenda is posted on the Town website and on bulletin boards located at Town Hall.

Regular Business Meetings follow a very formal and specific format. During the meeting, council members may vote on items discussed at a previous work session, study session, or public hearing; approve contracts; adopt ordinances or resolutions; adopt previous meeting minutes; present proclamations; and take up any other business of the council. During the Public Comment portion of the meeting, members of the public are given the opportunity to speak to the council for three minutes on any topic, in accordance with RCW [42.30.240](#)

#### **A. Public Comment Guidelines**

- The total public comment period should not exceed 30 minutes.
- Each speaker is given three minutes to address the council and may not yield any portion of their time to another speaker.
- A group of speakers may have five minutes if a single representative is commenting on behalf of the group.
- Prior to addressing the council, each speaker must state their name and whether they live in the town.

- All comments are to be addressed to the council and may not be of a personal nature.
- Comments should not be repetitive; speakers who agree with a previous comment are encouraged to simply state their agreement.
- Council members may not respond to the person making the public comment.
- Unruly behavior is prohibited (e.g., applauding, booing, hissing, or harassing remarks).
- Written comments received by the Town Clerk at least three hours prior to the scheduled start of a council meeting will be distributed to the council prior to that meeting.
- If attendance is high and public comment is likely to exceed 30 minutes, a public comment sign-up sheet may be implemented. The mayor and council may make a motion to adjust the speaking times down to two minutes to allow more members of the public to participate. Priority is given to in person commentors.
- See *Public Comment Reference Sheet* for additional tips on making public comment.

## **B. Executive Sessions**

Regular business meeting agendas may include an Executive Session. An Executive Session may be added to the meeting when the final agenda is set at the top of each regular business meeting. The OPMA authorizes the council to exclude the public from any portion of a meeting where confidentiality is required for the public interest including issues of property acquisition, pending litigation, and certain personnel issues ([RCW 42.30.110](#)).

## **II. SPECIAL MEETINGS**

Periodically the council holds other meetings such as Study Sessions, Special Town Hall Meetings, and Special Business Meetings. During these meetings, only items listed on the agenda may be discussed. These meetings follow OPMA protocols for noticing. These sessions are open to the public, but no public comment is taken for Study Sessions.

## **III. PUBLIC HEARINGS**

Public Hearings may be held during regular or special business meetings. The public is invited to attend and may comment on the specific topic of the public hearing.

Public hearings may be held on any legislative or quasi-judicial matter. Advance notice of a public hearing appears in *The Journal of the San Juan Islands* legal notices section, on the Town's website and Town Hall bulletin boards, and, discretionally, in press releases submitted to other local media.

Public hearings are for the public to provide informative testimony to the council. They are not a time for the public to ask questions or obtain information about the subject matter of the hearing. The public is expected to obtain whatever information they may need in advance so they may provide meaningful, non-repetitive comments at the hearing. Public comment guidelines apply.

Once public testimony is closed, it remains closed unless the council moves to reopen it to obtain new information through public testimony. It should not be reopened to receive repetitive testimony.

#### **A. The Public Hearings Process**

1. Public Hearing Opens
2. Staff Report
3. Applicant Comments
4. Public Testimony
5. Public Hearing Closure
6. Town Council deliberation with the potential to take action

## **IV.**

### **Closed Sessions**

The OPMA does not apply to certain types of meetings or discussions by the council. Closed Sessions are not part of Regular Business Meetings or Special Meetings. They are closed to the public and often relate to matters relating to employee union issues ([RCW 42.30.140](#)).

## **V. Legislative Matters Explained**

When the council is considering the passage of a new ordinance or amending existing Friday Harbor Municipal Code, it is acting in a legislative capacity creating laws which all members of the public will be subject to.

Public hearings are required on only a limited number of legislative matters but may be held on any legislative matter at the discretion of the council. Council members have the right to engage in private discussions with their constituents on any legislative matter at any time.

## **VI. Quasi-Judicial Matters Explained**

Whenever the council is determining the legal rights or duties of specific individuals, as those rights and duties are set forth in the Revised Code of Washington or Friday Harbor Municipal Code, the council is acting in a quasi-judicial capacity akin to judges or hearing examiners. The Appearance of Fairness Doctrine applies to quasi-judicial matters; therefore, it is the duty of the mayor or council member to recuse themselves if a conflict of interest exists. The most common quasi-judicial matters involve land use applications.

A public hearing is required on all quasi-judicial matters. Unlike a legislative matter, council members do not have the right to engage in private discussions with their constituents or anyone else concerning a quasi-judicial matter. All information they receive and any opinion they express must occur only during a public hearing or a public meeting on the proposed quasi-judicial matter.

Also unlike a legislative matter, the council's range of options is very narrow. Authority is limited to determining if an individual has the right under existing laws to proceed with a proposed course of action, typically a proposal for a certain use of their land.

The council may not make a decision based simply on what it believes is in the public's best interest but must instead decide if the proposal is allowed under the existing law.

Likewise, the council may not modify the laws that apply to the proposal under consideration. Because of the limited scope of the council's authority, testimony should be limited to whether the particular proposal fits within the requirements or limitations of existing laws. In some instances, the council may require conditions for approval.

## **VII. HOW ARE AGENDAS SET?**

The Town Clerk establishes the preliminary agenda with the council's guidance and direction and the staff's input on the required business. The agenda ensures that council members receive adequate, advanced information on items for consideration. Agendas are organized as efficiently as possible, allocating adequate

time for considering major issues while minimizing time spent on routine, trivial, or noncontroversial issues.

State law requires that a preliminary agenda be made available at least 24 hours prior to the meeting start time but does not prohibit subsequent modifications to the agenda ([RCW 42.30.077](#)). Agenda modifications after publication of the preliminary agenda may be requested for these reasons:

- Staff has identified a critical matter impacting Town business.
- A majority of the council wants to modify the agenda.
- The mayor wants to modify the agenda.

#### **A. Set Agenda**

An agenda modification takes place during the Set Agenda portion of the meeting. A majority vote or consensus is required. If there are no modifications, the agenda is considered adopted.

#### **B. Consent Agenda**

The Consent Agenda allows multiple items to be passed with a single motion and without debate. Consent agenda items may be moved to the regular agenda if the council deems additional discussion is needed.

#### **C. Agendas for Special Meetings**

The agenda for a special meeting may be modified to discuss a new matter. However, the council may not vote on that matter unless notice of the modified agenda was posted at least 24 hours in advance of the meeting ([RCW 42.30.080](#)).

### **VIII. TOWN COUNCIL, MAYOR, STAFF, AND PUBLIC ROLES IN MEETINGS**

#### **A. Town Council**

A council meeting is just that – it's the council's meeting, not the mayor's, staff's, or the public's meeting. The council is collectively responsible for establishing policy and has ultimate control over the agenda. Council members can request and sponsor agenda items. Council motions require a second, except for nominations, points of order (used to draw attention to a rule violation during a meeting), questions of privilege (used when there is a matter that concerns the welfare of the group), and calls for the order of the day (used to refocus on the agenda).

#### **B. Mayor**

It is the mayor's role to chair the council meeting. The mayor must balance the benefits of efficient meetings with the importance of involving all council members in the meeting. To be effective, the mayor needs the support of the council members. Trust is built by showing evenhandedness and fairness to all participants and by not allowing any participant to unfairly win a point or argument. In addition to maintaining order and decorum at council meetings, the mayor must ensure that all motions are properly dealt with as they arise.

All decisions by the mayor are subject to appeal including the mayor's refusal to allow a motion to be considered. A simple majority vote is required to overrule the mayor's decision on procedural issues, including adjournment. If the decision of the chair is sustained, no further action is taken; if the decision of the chair is overruled, the council goes forward with the discussion of the motion or other matter before it. The mayor does not have veto power.

The mayor is empowered to establish time constraints or suspend or reduce public comment to prevent unreasonable delay of the meeting or during times of a declared emergency or disaster which demands immediate action to preserve public health, protect life, protect public property, or provide relief to the Town which may be overtaken by such occurrences, or which reaches such a dimension or degree of destructiveness as to warrant the governor proclaiming a state of emergency pursuant to [RCW 43.06.010](#), or as provided in the state Emergency Management Act ([RCW Chapter 38.52](#)).

#### **C. Town Administrator**

The Town Administrator serves as a liaison between Town government and the public, while supporting the elected officials in their decision-making processes. The administrator meets with community members and leaders, manages staff and Town resources, prepares agenda items, and keeps Town officials fully informed by reporting activity to the council at each regular business meeting.

#### **D. Town Clerk**

The Town Clerk serves as the parliamentarian during all council meetings. The clerk has a duty to interrupt meetings or call for a recess when Robert's Rules of Order or lawful compliance are in question. Such recess may also be called by the mayor or council. The clerk is responsible for maintaining accurate records of proceedings by drafting agendas and recording minutes, managing council correspondence, and preserving public records.

## **E. Town Staff**

Town staff provide reports to the council on projects, issues, expenditures, committee activities, and other matters of the Town.

## **F. Public's Role**

The public's role in public meetings is to engage with government and learn about Town business. The public is encouraged to attend meetings and make public comments. The public comment portion of the meeting is an opportunity to share views, issues, and proposals which may or may not be relevant to the agenda. Please refer to the *Public Comment Reference Sheet* for more tips on how to participate in public meetings.