

RULES OF PROCEDURE OF THE TACOMA-PIERCE COUNTY BOARD OF HEALTH

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Purpose

The Rules of Procedure (“Rules”) of the Tacoma-Pierce County Board of Health (“Board”) are adopted pursuant to Section II, D (1) of the *Agreement Providing for Creation and Operation of a Combined County-City Health Department* (“Department”), entered into between Pierce County and the City of Tacoma on May 23, 2006. These Rules set forth the rules of procedure governing the time, place and conduct of Board meetings and the publication, consideration, and adoption of Resolutions.

RULE 1. OFFICERS AND ELECTIONS

A. Organization of the Board.

1. The officers of the Board shall be the Chair and Vice Chair to serve as presiding officers. These officers shall serve at the pleasure of the Board from the time of their election until the first regularly scheduled Board meeting following New Year's Day of each year, at which time the Board shall hold its annual election of officers during the regular agenda of its regularly scheduled Board meeting.
2. The Chair shall preside at all Board meetings. In the temporary absence of the Chair, the Vice Chair shall assume the duties and responsibilities of the Chair. In the event the Chair and Vice Chair are both absent, and a quorum is present, the Board shall, by motion, appoint one of its members to serve as presiding officer of the Board until the return of the Chair or Vice Chair. As used in these Rules, when the Chair is absent, the term "Chair" shall mean the presiding officer.
3. The Chair shall preserve order and decorum during the Board meetings and observe and enforce all rules adopted by the Board for its governance.
4. In the event that any officer is unable or unwilling to serve the remainder of his or her term, an election will be held to fill the vacant position. The mid-term elected officers shall serve until the first regularly scheduled Board meeting following New Year's Day of each year unless removed earlier by a majority of the Board at a regularly scheduled Board meeting.
5. Vacancies on the Board shall be filled by appointment within 30 days and made in the same manner as was the original appointment.

B. Legal Signatures.

All official documents of the Board shall be signed by the presiding officer and attested to by the Board of Health Clerk ("Board Clerk").

RULE 2. MEETINGS

A. Meetings of the Board.

1. Regular Meetings.

- a. Regular meetings of the Board will be scheduled on the first Wednesday of every month at 3 p.m. in the auditorium of the Tacoma-Pierce County Health Department building. The meeting may occur in other locations as determined by the Board.
- b. If the first Wednesday is a legal holiday, the meeting may be cancelled or rescheduled with notice to the public.
- c. If a meeting of the Board has a quorum, the meeting may be adjourned or continued to a date and time certain by the Chair, with the concurrence of a majority of the Board present at the meeting.
- d. If a meeting of the Board lacks a quorum, the Chair may authorize the Board to consider items on the agenda that do not require board action (i.e. presentations; public comment) OR to adjourn OR to continue that meeting to a date certain. All agenda items that require board action will be continued to the next regular or special meeting of the Board.
- e. If for any reason a meeting of the Board is canceled, all agenda items shall be continued to the next regular meeting of the Board.
- f. The Board shall conduct its business according to Robert's Rules of Order, Newly Revised, except when said rules conflict with law or Board Resolutions or these Rules, then the law, Resolutions, or Rules will prevail.

2. Special Meetings, Change in Time or Location, and Emergency Meetings.

- a. Special meetings, and any change in the time or location of a regular meeting, will be called by the Chair or by a majority of the members of the Board.
- b. Notice of a special meeting must be provided at least 24 hours in advance of the proposed meeting by delivering written notice personally, by mail, fax, or by electronic mail to each Board member.
- c. Notice must also be provided to the public and the media at least 24 hours in advance of the proposed meeting. The Clerk will maintain an electronic method for the public and the media to register to receive special meeting notice. The Clerk will also post the meeting notice on the Health Department's website.
- d. The meeting notice must specify the time and place of the special meeting and the business to be transacted.

- e. The Board will not take final action on any business, other than the business identified in the special meeting notice.
- f. No written notice is required for any member who, at or prior to the time the meeting convenes, files with the Clerk a written waiver of notice. Such waiver may be given by mail, by fax, or by electronic mail. Such written notice may also be deemed waived by any member who is present at the meeting at the time it convenes.
- g. Emergencies: The notice requirement may be suspended in the event a special meeting is called to address an emergency involving actual or likely injury or damage to persons or property when the time required to provide notice would be impractical and increase the likelihood of injury or damage.

3. Notice Requirements.

The notice requirements for regular and special Board meetings shall comply with the Open Public Meetings Act.

RULE 3. ATTENDANCE, QUORUM AND VOTING

- A. Attendance.** Board members are expected to attend meetings regularly and fully participate. In person participation is encouraged.
- B. Excused Attendance.** Board members may ask the Chair to be excused from a meeting and must communicate the request to the Clerk. The Chair may excuse the absence during roll call unless an opposing motion from the majority of the Board is passed.
- C. Quorum.** The quorum for the Board of Health will be five members or alternates. No proxy votes will be allowed. The Clerk will establish the presence of a quorum at the beginning of a meeting by a roll call vote. A member participating remotely as described in Section G counts toward a quorum.
- D. Majority.**
 - 1. Adopting Regulations: At least five affirmative votes are required to adopt or amend a Resolution adopting a regulation.
 - 2. Other Actions: A simple majority of the votes cast is sufficient to pass other Board actions.
 - 3. Simple Majority: A simple majority exists whenever the “ayes” outnumber the “nays”, irrespective of the number of abstentions. A motion fails if the nays equal or exceed the ayes.
- E. Abstention.** The Board Clerk will not generally record abstentions, but any member may request the Chair to instruct the Clerk to record an abstention and the brief reason the member abstained. This is usually to avoid the appearance or actuality of a conflict of interest.
- F. Final Votes.** All final votes of the Board on Resolutions adopting regulations will be recorded by a roll call vote.
- G. Remote Meeting Participation.**
 - 1. Two methods of remote participation are available, telephone conference call and web-based conference. In web-based participation, the caller can see the projected documents and has an audio connection.
 - 2. Members must notify the Clerk in advance of the meeting when requesting remote participation.
 - 3. Remote meeting participation must meet all requirements of the Open Public Meetings Act, Chapter 42.30 RCW.
 - 4. Protocol for Remote Participation
 - a. At least one Board member must be present in the meeting room.
 - a. Members and audience must be able to hear the remote participants speak.
 - b. Remote participants must be able to hear members and the comments from the public.

- c. Remote participants must identify themselves before speaking.
 - d. Remote participants must signal when joining and leaving the meeting by announcing their name and the action taken.
5. Regular meetings.
- a. Each member may participate remotely two time per calendar year.
 - b. Two members may participate remotely per meeting.
 - c. The Board Chair will determine whether to allow additional remote participation.
6. Special meetings.
- a. Each member may participate remotely four times each calendar year.
 - b. Up to four members may participate remotely per meeting.
 - c. The Board Chair will determine whether to allow additional remote participation.

RULE 4. BOARD OF HEALTH CLERK DUTIES

- A. Read Resolutions.** The Board Clerk shall read the resolutions called by the presiding officer into the record. Reading of resolutions at all Board meetings shall be deemed sufficient by the reading of a brief synopsis of the title of the resolution and its purpose, and the reading in full of the same shall not be required unless the full reading of any particular resolution be requested by any member of the Board, in which event said request shall be complied with if a majority of the Board members present concur in the request.
- B. Record Votes.** As a part of said permanent proceedings, the Board Clerk shall record all votes taken. In those instances where a roll call vote is taken pursuant to a requirement or request, the Board Clerk shall call the name of each and every member of the Board present, including the Chair, and shall duly record said member's vote as either an aye, nay, or abstention, whichever may be appropriate. Roll call votes of the Board shall be called in seat order, starting with the Board member seated the furthest from the Board Clerk.
- C. Maintain Record.** The Board Clerk shall cause to be recorded electronically all of the regular and special meetings of the Board and each and every part thereof except executive session, if any, and shall maintain the same in accordance with state retention schedules established pursuant to RCW 40.14 et seq.
- D. Prepare Minutes.** At the conclusion of each special or regular meeting of the Board, the Board Clerk shall prepare brief and concise minutes and submit the same to the Board for its approval. No minutes shall be prepared related to executive session.
- E. Verbatim Transcript.** No individual member of the Board, nor any member of the administrative staff of the Health Department, shall be authorized or empowered to require the Board Clerk to insert in said official minutes any verbatim transcript of all or any part of the proceedings. Verbatim transcripts of any part or portion of the proceedings shall be made a part of the minutes only when authorized by a majority vote of the entire Board made at the meeting wherein such request for a verbatim report is made.

RULE 5. ORDER OF BUSINESS, AGENDAS, MEETING DETAILS

- A. **Order of Business.** The order of business shall be as follows:
1. Call to order.
 2. Roll call.
 3. Comments By the Public (Not related to a Specific Agenda Item)
 4. Consent Agenda
 5. Regular Agenda
 6. Presentations to the Board
 7. Director of Health Comments
 8. Comments By Board of Health Members
 9. Executive Session
 10. Adjournment
- B. **Consent Agenda.** The Consent Agenda shall generally consist of items not requiring Board discussion or deliberation. Approval of the Consent Agenda requires a unanimous vote of the Board. Any Board member may have an item removed from the Consent Agenda for separate consideration under the Regular Agenda, as appropriate.

The Consent Agenda may include but is not limited to one or more of the following items:

1. Approval of minutes.
2. Resolutions accepting grants consistent with the priorities set for the Health Department by the Board.
3. Resolutions approving year to date aggregate expenditures up to \$50,000 with a single entity.
4. Resolutions amending the Board Fee Schedule.
5. Resolutions in support of actions by other governmental agencies, or other community activities.
6. Items that the Chair, in consultation with the Director of Health, deems appropriate for the consent agenda.
7. Fiscal topics brought to the finance committee of the Board could be placed on a Consent Agenda if unanimously recommended by the committee.
8. Contract renewals for amounts greater than \$50,000 that extend current business arrangements with only modest increases.
9. Topics discussed at Study Session which the Board unanimously determines are appropriate for a consent agenda.

C. **Regular Agenda.** The Regular Agenda shall generally consist of items requiring Board discussion or deliberation, and may include but not be limited to, one or more of the following items:

1. Announcements, presentations, and appointments.
2. Communications.
3. Resolutions adopting regulations.
4. Resolutions adopting the Department budget and budget adjustments.
5. Resolutions setting priorities or adopting a strategic plan for the Department.
6. Resolutions adopting Board policies.
7. Resolutions approving collective bargaining agreements and Department salary schedules.
8. Resolutions approving new FTEs for the Department.
9. Resolutions authorizing the acceptance of funding, other than grant funding, that is consistent with the priorities set for the Department by the Board.
10. Resolutions approving the transfer of budgeted funds between programs that materially expands an existing program by more than \$50,000.00; or a transfer that creates a new program.
11. Resolutions approving Department actions, such as acting as fiscal intermediary for another agency, or the Department providing additional special services to another jurisdiction.
12. Resolutions establishing standing or ad hoc committees and receipt of committee reports or comments.
13. Resolutions approving leases.
14. Resolutions adopting the Board's annual Fee Schedule.
15. Resolutions amending these Rules.
16. Resolutions authorizing contracts or aggregate expenditures with a single entity in excess of \$50,000.00 per year.
17. Resolutions related to items that the Chair, in consultation with the Director of Health, deem appropriate for the regular agenda.

19. Resolutions that otherwise serve the purposes of the Agreement Providing for

20. Creation and Operation of a Combined County-City Health Department.

- D. **Executive Session.** The Board may hold an executive session, upon announcement by the presiding officer, for a stated time and purpose during any regular or special meeting. Board members shall keep confidential all written materials and verbal information provided to them during executive sessions to ensure that the Board's position is not compromised, and to comply with law related to disclosure of confidential information.
- E. **Related Agenda Items.** When matters on the agenda are placed under more than one classification, as defined by "Order of Business," and are closely related to the same subject matter, the presiding officer may, without the necessity of any vote, call for the related agenda items out of the prescribed "Order of Business."
- F. **Agenda.** The Board Clerk, under the direction of the Chair and the Director of Health, shall prepare the agenda for each Board meeting in regular order in accordance with these Rules, which order shall not be departed from for any purpose, except as provided for in these Rules. Such agenda shall include, but not be limited to, all resolutions and matters requested by any Board member, including the Chair. The Chair may delete any agenda items, other than those requested by another Board member, prior to the commencement of a Board meeting, and the Board Clerk shall announce such deletion at the meeting. Once a meeting has been called to order, and a quorum met, agenda items may be deleted only by a majority vote of the Board members present. The order of the agenda items may be changed at any Board meeting by a majority vote of the Board.
- G. **Compensation.** Members or acting alternates of the Board that are not full-time elected officials shall receive their expenses of service according to the Department's reimbursement policies and, if requested, shall receive a meeting fee of \$75.00 for each Board meeting attended.
- H. **Public Participation in Board Meetings.**
1. The public may address the Board in the time period during the Board meeting set aside for that purpose. Public comment at other times during the Board meeting shall be at the discretion of the Chair. Items for public comment shall be limited to matters over which the Board has jurisdiction. To ensure equal opportunity for the public to comment, the Chair may impose a time limit on each speaker. All comments must be directed to the Chair. No person shall disrupt the orderly conduct of any Board meeting or present a threat to the safety of the Board, Department staff or members of the public. A speaker who fails to comply with the Board's Rules governing public participation in Board meetings shall be subject to forfeiture of his or her opportunity to speak to the Board and/or removal from the auditorium or other meeting space at the discretion of the Chair, subject to the Board's right to overrule the Chair's action by majority vote.
 2. The Board will consider written as well as oral comments. The Board Clerk will accept written comments via email at a designated email address. All written public comments will be made part of the public record. The Board Clerk will provide written comments received prior to noon on the date of the Board meeting to Board members prior to the meeting.

3. When the Board meeting is held virtually, technology will be available to allow the Board and staff to conduct the meeting and for the public to participate (view, listen, and comment) in accordance with the Open Public Meetings Act during the period of the meeting set aside for that purpose.
4. The Board adopts and incorporates herein by reference the provisions of RCW 42.17.130 regarding the use of its facilities for campaigns or ballot propositions.

RULE 6. RESOLUTIONS

Pursuant to RCW 70.05.060, the Board of Health shall adopt regulations to promote and preserve the public health within its jurisdiction. Upon a showing of special need, the Board of Health may adopt more stringent regulations for smaller areas of special concern.

A. Procedure for Adoption/Termination of Resolutions.

1. Resolutions are the form of enactment used by the Board for the promulgation of regulations, and for other actions taken by the Board. Resolutions are prepared by the Department and presented to the Board at Board meetings.
2. All resolutions shall be introduced in proper form and may be considered for adoption at the first meeting at which they are introduced.
3. Typical matters which may be adopted by resolution are set forth in Rule 5, Section B (Consent Agenda) and Section C (Regular Agenda). The subject matter of resolutions may include any matter that falls under Department or Board jurisdiction or that relate to public health or Department or Board operations.

B. Format of Resolutions. Resolutions shall be in a format determined by the Board Clerk in consultation with Director of Health and shall be numbered with the year of introduction and the continuous sequential order of adopted Board resolutions. For example, if the last resolution of 2005 is number 2005-2399, then the first resolution of 2006 would be numbered 2006-2400.

C. Rule of Construction. Every effort will be made to construe all resolutions of the Board to be consistent and not in conflict; however, if resolutions are in conflict with prior actions of the Board, the most recent resolution shall control.

D. Publication of Resolutions Adopting Regulations.

1. Publication of the notice of public hearing for consideration and possible adoption of a resolution adopting regulations shall be in the County and City official legal newspapers and may be published in additional newspapers if required by state law or at the request of a majority of the Board, or the Chair. The publication may, at the discretion of the Director of Health, include a summary of the resolution, unless the Board or law specifically designates that the full text of the resolution will be published. The notice shall specify the places where copies of the resolution are available for inspection, and the date, time, and location of the meeting at which the resolution will be presented for final consideration.

2. A summary of a resolution for publication shall include the following:
 - a. The name of the County.
 - b. Name of adopting Board.
 - c. Formal identification or citation number of the resolution.
 - d. Descriptive title of the resolution.
 - e. Section by section summary.
 - f. Any other information which the Director of Health determines is necessary to provide a complete summary.
 - g. A statement that copies of the full text of the resolution are available upon request without charge from the Board Clerk, including the phone number to contact.
3. Notwithstanding subsection A above, whenever any publication is made under this Section and the proposed or adopted resolution contains provisions regarding taxation or penalties or contains legal descriptions of real property, the sections containing these provisions shall be published in full.
4. An inadvertent mistake or omission in publishing the text or a summary of the content of a proposed resolution shall not render the resolution invalid if it is adopted.

RULE 7. COMMITTEES

The Board of Health may establish standing or ad hoc (“select”) committees.

A. Standing and Select Committees of the Board.

Standing committees of the Board, if any, shall be created by the adoption of a resolution no later than the regular February Board meeting each year by approval of a majority of the Board. Ad hoc committees (also known as select committees) may be created as the need arises. Select committees of the Board and their memberships shall be established by Board resolution. The rules of procedure for standing and select committees shall be set forth in the Board resolutions, as needed.

1. **Function and Purpose.** The identification of the scope of work of the individual committees, meeting schedules, and meeting locations shall be accomplished by a process of discussion and consensus among the committee members. Committee action on any proposed resolution is strictly advisory to the Board. The standing and select committees shall have no power or authority to commit the Board or to take any binding action on behalf of the whole Board.
2. **Reports.** Following each committee meeting, a report shall be submitted by the committee chair or vice-chair orally or in writing to the Board. Recommendations to the Board on proposed resolutions shall indicate one of the following:
 - a. Do Pass
 - b. Forward Without Recommendation
 - c. Do Not Pass
 - d. Minority reports may be shown on committee reports with the dissenting votes reflected.
3. **Removing of Matters from Committee.** Any Board member, during a regular Board meeting, may make a motion to remove a matter from a committee. Said motion, if seconded, shall require a majority vote of the Board.
4. **Public Comment.** Standing and select committees shall allow public comment at committee meetings. The committee chair may invite persons to the committee table for the purpose of providing information necessary to committee business and explain to those in attendance the reasons for inviting people to the committee table.
5. **Staff Assignments to Committee.** The Director of Health shall designate staff for each standing and select committee, who shall prepare the agenda, provide proper notice, prepare minutes, and prepare a record of attendance for every meeting.

RULE 8. RULES AMENDMENT/SEVERABILITY

A resolution amending these Rules of Procedure must be passed by an affirmative vote of at least five Board members. Amendments to these Rules shall be made by resolution. No rule shall be suspended except by a majority vote of Board members present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote of the Board, or by roll call if requested by a Board member.

Severability. If any provision of these Rules or their application to any person or circumstance is held invalid, the remainder of these Rules or the application of the provisions to other persons or circumstances shall remain in full force and effect.