

# **BYLAWS OF THE CLARK COUNTY CHARTER REVIEW COMMISSION**

## **DRAFT**

### **Section I. Name**

This deliberative body shall be known as the Clark County Charter Review Commission, ~~hereinafter referred to as the~~ "(Commission") which ~~shall be comprised~~ consists of ~~the fifteen~~ (15) Commissioners elected by Clark County voters on November ~~3, 2020~~, 2025.

### **Section II. Authorization Under Charter**

The Clark County Review Commission exists as authorized under ~~Section~~ Article 9 of the Clark County Home Rule Charter.

### **Section III. Contact Information**

~~Unless and until otherwise determined by the Commission, the~~

1. The business address for the Commission ~~will be~~ is care of Clark County, ~~P.O. PO~~ Box 5000, Vancouver, ~~Washington WA~~ 98666-5000.

~~Unless and until otherwise determined by the Commission, the~~

2. The telephone contact number ~~shall be~~ is 360/~~397-2232~~, ~~a telephone number maintained by Clark County.~~

~~Unless and until otherwise determined by the Commission, the e-mail~~

3. The general email contact address ~~shall be~~ is CharterReviewCommission@clark.wa.gov, ~~an e-mail.~~

4. Individual Commissioners email address ~~maintained and staffed by Clark County is~~ is firstname.lastname@clark.wa.gov. No personal email addresses may be used to conduct business as a Commissioner.

~~Unless and until otherwise determined by the Commission, the~~

5. The registered agent for service ~~shall be~~ is Clark County in the ~~State~~ state of Washington located at 1300 Franklin Street, Vancouver, ~~WA~~ 98666-5000.

### **Section IV. Purpose**

The purpose of the Commission shall be to develop and refer to the electorate any recommended changes to the Home Rule Charter ("Charter") for the government of Clark County ("County") subject to the laws of the State of Washington ("State") and in accordance with the Constitution of the State.

### **Section V. Officers**

~~1)-1.~~ The Officers of the Commission ~~shall consist of: Two Co-Chairs, are a Chair~~ and a Secretary.

~~With duties as follows:~~

~~The Co-Chairs shall preside~~

a. Duties of the Chair include:

i. Presiding over all meetings of the Commission; ~~shall rule.~~

ii. Ruling on questions of ~~procedure~~procedures that may arise; ~~shall call.~~  
iii. Call special meetings of the Commission as provided in Section IX of these Bylaws; ~~shall prepare.~~

iv. Preparing an agenda for each regular or special meeting of the Commission; ~~shall speak.~~

a) v. Speak on behalf of the Commission before the media and external agencies unless and until such other representative is appointed by the Commission; ~~and perform such other duties as may be provided in these Bylaws or authorized by the Commission.~~

The ~~\_\_\_\_\_~~ vi. Perform other duties as may be provided in these Bylaws or authorized by the Commission.

b. Duties of the Secretary shall ensure include:

i. Ensure recording and presentation of the minutes of all Commission meetings; ~~maintain.~~

ii. Maintain the Bylaws under which the Commission operates and all amendments ~~thereto; and perform hereto.~~

b) iii. Perform such other duties as may be provided in these Bylaws or authorized by the Commission.

2) 2. The Commissioner candidate receiving the most votes in the general election shall serve as interim Chair of the Commission during its initial meeting and until such time as the Commission shall determine the procedures under which it shall operate. ~~Thereafter~~Therefore, Officers shall be elected from the Commission membership.

3) 3. Officers elected by the Commission shall take office immediately upon election. Their term in office shall expire ~~the sooner of:~~ upon completion of the duties of the Charter Review Commission or December 31, 2027, whichever occurs first (1st).

a) ~~December 31, 2021~~

b) ~~Completion of duties of the Charter Review commission~~

4) 4. An office vacated by an Officer, whether voluntarily or involuntarily, shall be filled at the next regular meeting of the Commission, at which time, nomination of a Commissioner(s) for the office may be received from the Commissioners present, and the office thereafter filled by a simple majority vote of the Commission, or in the event of more than one (1) nominee, that Commissioner who receives the most votes of the Commissioners present.

## **Section VI. Staff**

1) 1. The Commission shall be supported by County Primary Staff~~staff~~ and Legal Counsel~~legal counsel~~.

Primary 2. Staff shall be responsible for receiving the following:

a. Receiving and sending communication to and from the Commission; ~~notifying.~~

b. Notifying the Commission of pertinent business; ~~giving.~~

c. Providing notices required by statute~~statue~~, these Bylaws, or Commission resolution; ~~maintaining.~~

d. Maintaining official records of Commission proceedings; ~~presenting.~~

2) e. Presenting information and research; ~~facilitating Commission meetings; and performing such other duties as may be provided in these Bylaws or authorized by the~~

~~Commission. Maintaining and posting pertinent information on the Clark County Public site including recordings of commission meetings.~~

~~3)~~

4) 3. Other County ~~Staff~~staff, experts, or advisors may support the Commission as requested by the ~~Co-Chairs~~Chair and approved by the County.

### **Section VII. Committees**

1) 1. The Commission may create, appoint, and dissolve committees, as deemed necessary to conduct the Commission's business, ~~The Commission~~ by a simple majority vote at a regular Commission meeting, ~~may create a committee.~~

2) 2. The Chair of each committee shall be appointed by the members of the Committee and approved by a simple majority of ~~commissioners~~the Commissioners. The Chair ~~of a committee~~ must be a ~~Charter Review~~ Commissioner. The committee Chair shall continue in that capacity until such time that the committee is dissolved, or the committee votes upon a new Chair.

~~It shall be~~3. The committee Chair has the responsibility ~~of each committee Chair to appoint:~~

a. Appoint additional committee members who may or may not be ~~Charter Review~~ Commissioners; ~~call, provided that the majority of the committee members must be~~ Commissioners.

b. Call for meetings of the committee; ~~run.~~

c. Run committee meetings; ~~document.~~

d. Document committee business; ~~and make.~~

3) e. Make progress reports to the Commission at all regular Commission meetings.

4) 4. At the request of the Commission, and upon its dissolution, each committee shall submit a written report to the Commission describing its activities, findings, recommendations, and other pertinent information.

### **Section VIII. Vacancies on the Commission**

1) 1. Vacancies on the Commission, occurring pursuant to Section 42.12.010 Revised Code of Washington ("~~RCW~~") for ~~elective~~elected office, shall be declared by the ~~Co-Chairs~~Chair.

2) 2. Vacancies on the Commission shall be filled pursuant to Clark County Home Rule Charter, Article 9, Section 1(B).

### **Section IX. Meetings**

1) 1. All meetings shall be held in accordance with the Washington State Open Public Meetings Act, ~~(OPMA)~~, Section 42.30 RCW.

2) 2. Regular meetings shall be established by the Commission, consistent with Article 9 Section 1(A) of the Home Rule Charter, which shall establish dates, times, and frequency for all regular meetings.

3) 3. Meetings may be held virtually ~~or~~, in-person, or combination thereof.

## Section X. Quorum

- 1) 1. A quorum of the Commission must be present for the conduct of any business at a meeting of the Commission.
- 2) 2. A quorum for any meeting of the Commission shall consist of eight (8) Commissioners who are physically or virtually present at the meeting location.
- 3) 3. A majority of ~~at~~the committee shall constitute a quorum for the conduct of the business of a committee.

## Section XI. Participation and Nondiscrimination

1) 1. The Commission shall encourage and allow for civil and germane public testimony during every regular and special meeting of the Commission. ~~The Commission may establish time limits for public testimony, both individually and collectively for speakers or through written public comment. Oral public comment will be limited to three (3) minutes for each individual.~~

~~2) In accordance to Washington State law against discrimination (RCW 49.30.010) the Commission shall not discriminate against any individual with regard to participation in Commission meetings or access to information, or any other Commission activity, because of race, creed, color, national origin, citizenship or immigration status, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability are a matter of state concern, that such discrimination threatens not only the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state. A state agency is herein created with powers with respect to elimination and prevention of discrimination in employment, in credit and insurance transactions, in places of public resort, accommodation, or amusement, and in real property transactions because of race, creed, color, national origin, citizenship or immigration status, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability; and the commission established hereunder is hereby given general jurisdiction and power for such purposes.~~

2. The Commission will not discriminate, in accordance with Washington and Federal Laws.

## Section XII. Communications

- 1) 1. The ~~Co-Chairs~~Chair may speak on behalf of the Commission before the media and external agencies, unless and until ~~such other~~another representative is appointed or delegated by the Commission.
- 2) ~~Primary~~2. County Staff will ensure public distribution via a County web page that is ~~distinctively~~distinctly for Commission business on behalf of the Commission ~~wherein on which the following are posted,~~ Commission notice of meetings, ~~recording~~recordings of meetings, agendas, minutes, media releases, a copy of the ~~2021~~Clark County Charter proposed ~~Changes~~changes, composition of the Commission, contact information, and other pertinent information ~~may be included.~~
- 3) ~~Primary~~3. County Staff will ensure that each Commissioner is provided a County e-mail address. The County issued e-mail will be the only e-mail permitted for Commission business.
- 4) 4. All Commissioner and Commission written ~~communication~~communications, including e-mails, concerning the business of the Commission, whether or not to or from a County e-mail

address, shall be subject to public disclosure, [in accordance with the Washington Public Records Act, Chapter 42.56, Revised Code of Washington.](#)

### **Section XIII. Rules of Order**

Except ~~asat~~ modified by these Bylaws, and when not in conflict with ~~Statestate~~ law, all meetings of the Commission and its committees shall be held using ~~Robert's Rules~~[Robert's rules](#) of Order (revised edition) for guidance. Any failure on the part of the Commission, or one or more of its committees, to adhere to ~~Robert's~~[Robert's](#) Rules of Order shall not invalidate any action taken by the Commission, provided that such ~~action~~[actions](#) is not otherwise in conflict with ~~Statestate~~ law, these Bylaws, or other requirements established by the Commission.

### **Section XIV. Voting**

- +) ~~Commissioners~~[1. Each Commissioner](#) shall ~~each~~ have one ~~(1)~~ [vote on all matters before the Commission and its committees.](#)
- [2.](#) All votes shall be cast by ~~show of hands or by~~ open roll call (virtually or physically) or as agreed upon by the ~~commission, All actions required to be approved~~[Commission.](#)
- 2-) [3. Approval of any motion or other action](#) by the Commission ~~shall require~~[requires the vote of a simple majority of these a quorum present at a meeting,](#) unless otherwise specified in these Bylaws.

### **Section XV. Submittals to County**

[The Commission shall submit to the Clark County Auditor its proposed amendments in accordance with the Auditor's policy and procedures.](#)

### **Section XVI. Adoption of proposed changes by the Commission to the Charter**

- [1. No motion shall be entertained to propose an amendment to the Charter unless the proposed amendment has been included on the Commission's duly advertised and posted agenda for a Commission meeting; provided that a proposal that has been included in the Commission's duly advertised and posted agenda may itself be amended by the Commission without further posting unless the scope or nature of the proposal is significantly changed by the amendment. A seconded motion to propose an amendment to the Charter must be approved by simple majority vote of a quorum of the Commission.](#)
- [2. The proposal of Charter amendments for submission to the County Auditor to be included on the ballot before the Clark County electorate shall occur at a regular meeting to be held after fourteen \(14\) days' notice has been given of such consideration. No amendment shall be allowed, and the vote shall be for the adoption or rejection of each proposal to amend the Charter. The names of those Commissioners voting Aye and Nay shall be recorded for the permanent record of the Commission.](#)

### **Section XVII. Changes to Bylaws**

- +) [1. The initial Commission approval of Bylaws shall be by simple majority vote of a quorum present at a meeting.](#)

2) 2. Proposals for amendment or repeal of these Bylaws, in whole or in part, may be submitted by any Commissioner to the Commission during any regular meeting of the Commission, provided, however, that the proposal to amend or repeal has been duly included in the posted and advertised agenda for that meeting and a copy of the proposal provided to all Commissioners no less than fivefourteen (14) days prior to the meeting. A Commissioner request to have an amendment placed on the agenda a proposal to amend or repeal of the Bylaws placed on the agenda must be granted by the Co-Chairs Chair. A seconded motion for adoption of amendment or repeal of Bylaws shall be approved by a simple majority vote of a quorum of Commissioners present at a meeting.

3) 3. Any amendment or repeal of these Bylaws approved by the Commission shall become effective immediately.

4) 4. If approved by the Commission, the Secretary shall add the amendment or repeal and include it as an integral part of these Bylaws. The Secretary, or his/her designee, shall ensure distribution of the amended Bylaws to all Commissioners.

### **Section XVIII. Dissolution**

The Commission shall automatically dissolve in accordance with Section XVI of these Bylaws, on or on before December 31, 2021-2027.