

ORDINANCE NO. 2018-18

AN ORDINANCE of the City Council of Bainbridge Island, Washington, amending Chapter 2.37 BIMC to Allow the Climate Change Advisory Committee to Utilize a Listserv to Conduct Committee Business Under Certain Circumstances.

WHEREAS, the Climate Change Advisory Committee has expressed an interest in allowing committee members to utilize a listserv as an option to engage in discussions and exchange information in certain circumstances; and

WHEREAS, due to the unique nature of the work of the committee, which often requires review and analysis of complex technical documents and communications and document preparation related to such matters, and challenges in scheduling more meetings of the committee due to time demands on committee members, an option of utilizing a listserv would be beneficial and would increase the productive capacity of the committee; and

WHEREAS, under Chapter 2.37 of the Bainbridge Island Municipal Code (“BIMC”), which governs the committee, the committee’s meetings are to be held in accordance with the state law Open Public Meetings Act (“OPMA”) (Chapter 42.30 RCW); and

WHEREAS, in order to avoid confusion regarding what constitutes a “meeting” of the committee for the purposes of the OPMA in the context of use of a listserv by committee members, it is proposed that Chapter 2.37 BIMC be revised to make clear that the committee’s use of a listserv to engage in discussions and exchange information, under conditions described in this ordinance, would not be regarded as a meeting of the committee for the purposes of OPMA requirements that the City otherwise imposes on its advisory committees; and

WHEREAS, the proposed revision to Chapter 2.37 BIMC is consistent with the OPMA because the committee’s work is purely advisory in nature and, generally speaking, the committee’s role is to provide input and recommendations to the City Council; and

WHEREAS, the proposed revision is intended to increase the productiveness of the committee and enhance transparency and the public’s involvement with the committee such that, under the revision to Chapter 2.37 BIMC, all discussions and exchanges of information by committee members via the committee’s listserv would be open to the public on a read-only basis;

WHEREAS, use of the listserv would supplement the work that the committee will continue to conduct at its committee meetings, which will continue to be publicized and open to the public.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.37.040 of the Bainbridge Island Municipal Code is hereby amended to add a new subsection as follows:

F. This committee has the option of establishing and using a listserv to engage in discussions and exchange information. If such a listserv is established, it must be open to the public on a read-only basis. For the purposes of this committee, use of such a committee listserv by a majority of the committee will not be regarded as a meeting of the committee for the purposes of Open Public Meetings Act requirements that the city otherwise imposes on its advisory committees.

Section 2. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED BY THE CITY COUNCIL this ____ day of May, 2018.

APPROVED BY THE MAYOR this ____ day of May, 2018.

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	May 4, 2018
PASSED BY THE CITY COUNCIL:	May ____, 2018
PUBLISHED:	
EFFECTIVE DATE:	
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