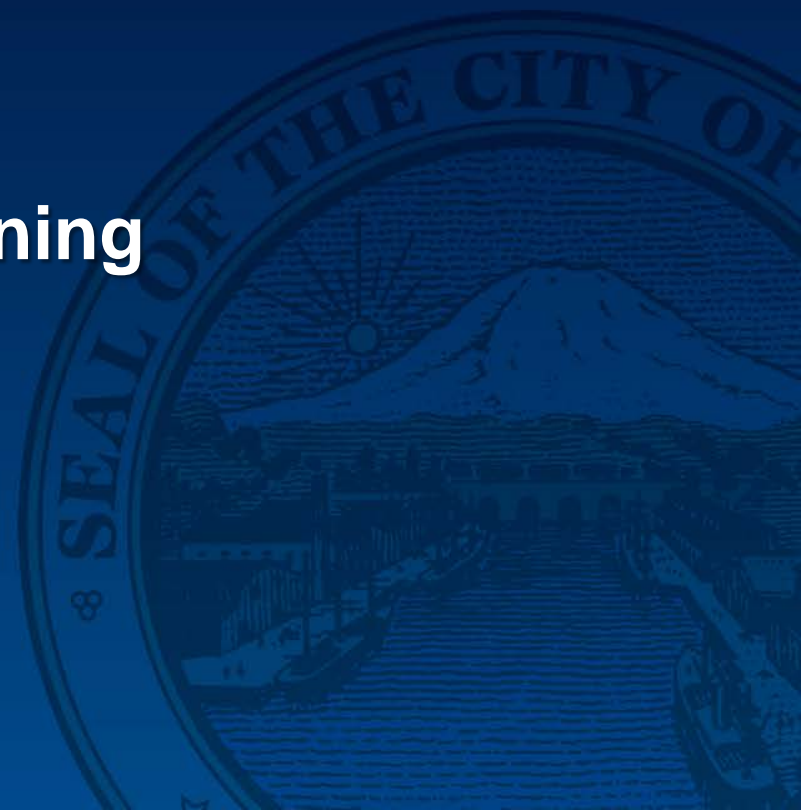


Open Meetings Open Records and Ethics Training

Member Training



Background

- Open Government requirements are in state law
- Training is required by the Open Government Trainings Act, effective July 1, 2014
- The Act is designed to foster open government by making training a recognized obligation of public service
- All City Commissions Boards and Committees (CBCs) trained at least once every four years

Open Public Meetings Act

- State law passed in 1971, RCW 42.30
- Applies Citywide, including CBCs
- All meetings public
- Does not need to be titled “meeting” – also applies to retreats, workshops, study sessions, etc.
- All business conducted openly, unless exemption/exception

Open Public Meetings Act

- It is a meeting when a quorum is present and action occurs
- Action is any official business such as discussion, deliberation, receipt of public testimony, consideration, reviews, and evaluations – not only final action
- Can also apply to a subcommittee or smaller group of the committee, board or commission, even if not a quorum

Open Public Meetings Act

Meeting Requirements:

- Notice to public
- Published agenda
- Public permitted to attend without conditions
 - No requirement that public be able to speak or participate
- Minutes are required to be taken
- Topics generally limited to published agenda

Open Public Meetings Act

Regular Meetings:

- Recurring in accordance with a published schedule
- RCW 42.30.077 requires the agenda of each regular meeting to be made available online no less than 24 hours in advance of the meeting
- RCW 42.32.030 requires minutes to be promptly recorded and must be open to public inspection

Open Public Meetings Act

Special Meetings:

- Any meeting that is not the regularly scheduled meeting, including retreats, workshops, study sessions, etc.
- Written notice must be posted 24 hours before the meeting, and include the time, location, and agenda
- No business can be discussed or acted upon unless included in special meeting notice
- RCW 42.32.030 requires minutes to be promptly recorded and must be open to public inspection

Open Public Meetings Act

Meeting Tips:

- E-mail exchanges can be meetings
 - Entire committee/quorum on e-mails
 - “Reply All”
 - “Serial” e-mails, forwarded from member to member
- CBC member conversations in shared environment can be meetings
 - Blogs, forums, social media

Open Public Meetings Act

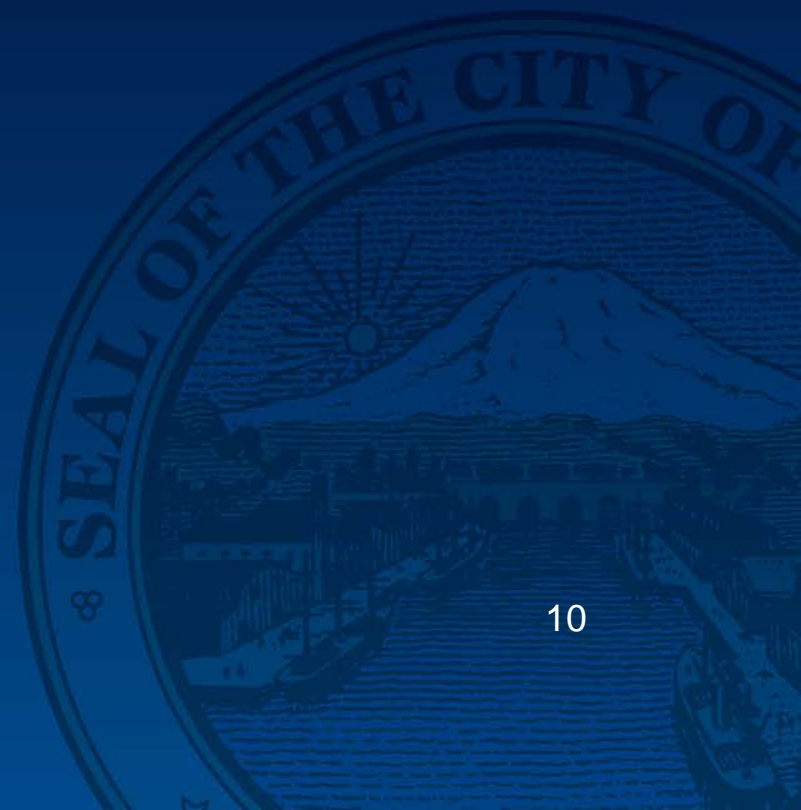
Meeting Tips (continued):

- Meetings can be by telephone, but need proper notice and opportunity for public to participate
 - Speaker phone at designated location
 - Individual members may be able to appear by phone
 - Body may have rules or bylaws about telephone meetings

Open Public Meetings Act

Violation of Open Meeting Laws:

- Individual member liability
 - \$1000 penalty for knowing violation
- CBC action null and void
- Bad Press
- Public Distrust



Public Records Act

- State law passed in 1972, RCW 42.56
- Applies Citywide, including committees, boards, and commissions, and individual members
- Creates duty to retain, search and produce public records

Public Records Act

A Record is:

- Information or communication relating to conduct of government, performance of government function
- Owned, used or retained by CBC or CBC members
- Paper, electronic, audio, photos, videos, social media etc.
- Can include records of agency business on personal computers or devices

Public Records Act

Public Right to Records:

- Upon request by public:
 - All records to be available for inspection and copying
 - Exemptions to disclosure, but narrow
 - Requestor cannot be limited or asked reason for request

Public Records Act

Search and Produce Records:

- If records requested
 - Timely search all potential locations
 - Personal computers, personal cell phones, smart phones, lap tops, tablets, paper files
 - Produce all responsive records to staff
 - May be exemptions, staff to determine, so produce all
- Let staff know immediately if a communication is received that could be a records request

Public Records Violations

- Penalties to City for not searching, not producing, late producing etc.
- Failure to conduct adequate search could cause a court to order search
 - Including of any location where records may be, could include personal or home or business locations and devices
 - Best practice – keep records in designated locations
- Good faith effort to comply is defense to penalties

Records Management

- State law passed in 1957, RCW 40.14
- The City has to retain the records of committees, boards, and commissions
- “Owner” of record generally keeps
 - Staff will have primary responsibility over most records
 - Members may have responsibility over some records
 - Develop process for transferring records to City

Records Management

- **RETAIN IF REQUIRED**
 - Retention periods set by state and City
 - Some records have no retention period (“transitory”)
- **MANAGE RECORDS**
 - Discard when retention period ends
 - Informational and secondary copies can be discarded when the business need expires
 - Must be searched and produced if existing

Records Management

Records Tips:

- Be aware when acting as member of a body
 - Any blogging, social media, posting, writing while in official role as a member CBC is public record
 - No general “privacy” exemption
- Keep all related records in one location
 - Separate e-mail account/separate folders for CBC business
 - Personal contact information not exempt if used CBC business or intermingled

Ethics

- City of Tacoma Code of Ethics, TMC 1.46
- Applies to City committee, board, or commission members
- Purposes include:
 - Avoid conflicts of interest and undue influence
 - Prevent use of City position and powers for personal gain
 - Avoid improprieties and appearance of improprieties

Ethics

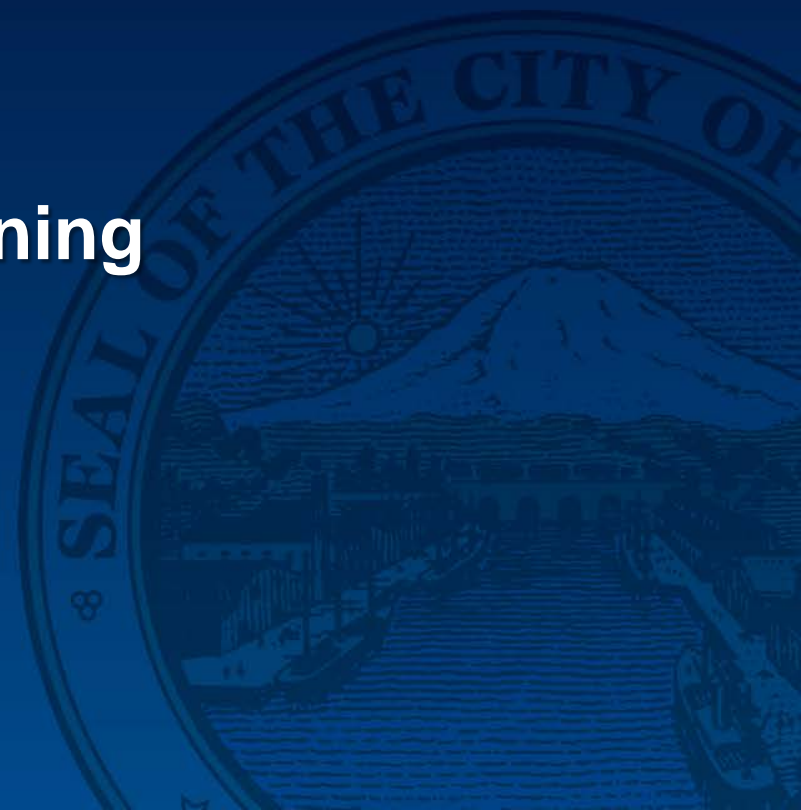
- Prohibited Conduct Includes:
 - Disclosure of confidential information
 - Use of City position for personal benefit or gain or to benefit another
 - Acceptance of gifts
 - Ban on receipt of all gifts of any amount
 - Nominal promotional items and awards in recognition of service are allowed
 - Financial conflicts of interest – member of CBC entering into a contract with City

Ethics Violations

- City committee, board, or commission members are “Covered Officials” under jurisdiction of Board of Ethics
- Complaint
 - Review by Board of Ethics
 - Possible investigation/hearing
 - Order of Board of Ethics
- Sanctions for violation found by Board
 - Can include removal from committee, board or commission

Open Government Open Records and Ethics Training

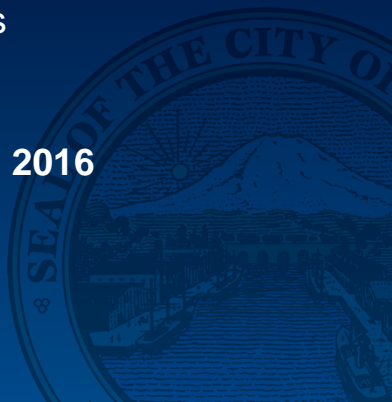
Member Training



North 21st Power Pole Replacement and Roadway Projects

City of Tacoma:
Tacoma Power, Public Works

September 26, 2016



Pole Replacement Project Scope

- Upgrade Pearl Substation along with Hilltop and Cedar substations - **Complete**
- Replace Towers in North 21st Street and Westgate Center:
 - Remove 20 towers and old wire
 - Replace with 12 steel poles and new wire
- Retire Cushman Substation by bypassing it



North 21st Street Now



North 21st Street Soon



Why Not Go Underground?

- Costs 5 to 10 times as much as overhead lines
- Differences in building, maintaining, repairing
- Unusual to locate transmission lines underground
 - We have done it in at the Port of Tacoma/Blair Waterway because of height of ship antennae

Future Of Cushman Substation

- Cushman Substation will no longer be part of the electrical system
- The equipment outside will be removed
- Classic building will remain



Proposed Project Schedule

- Spring, summer 2017: Demolition and construction
 - Most likely April - September
- End of 2017: Equipment removed from Cushman Substation yard

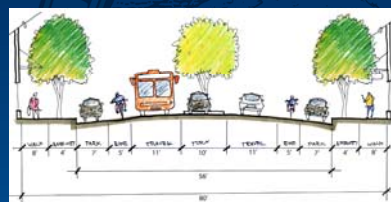
From poles to street design

- Two groups, two different projects
- Street concept guides placement of power poles

Roadway Planning Process

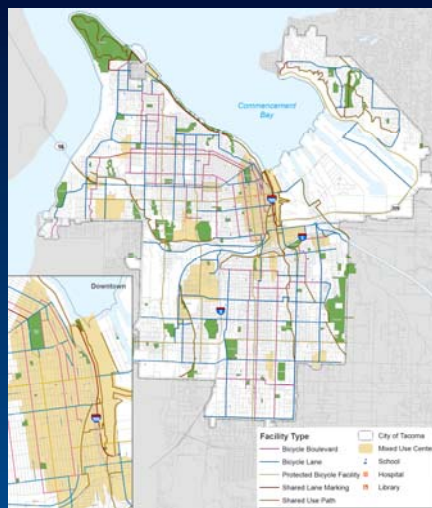


- 2008 – Corridor Study, Alder-Proctor
- 2009 – Complete Streets Resolution
- 2010 – Mobility Master Plan
- 2015 – Transportation Master Plan / Comprehensive Plan update



Transportation Master Plan Priorities

- Every street is a pedestrian priority street.
- The TMP identifies priority corridors for each mode.
- North 21st is a priority corridor for automobiles, transit, and bicycles.



Options Evaluated

- Existing (for comparison)
- Center pathway
- Poles shifted to one side; side pathway
- Two lanes in each direction
- One lane each direction
- Two lanes westbound

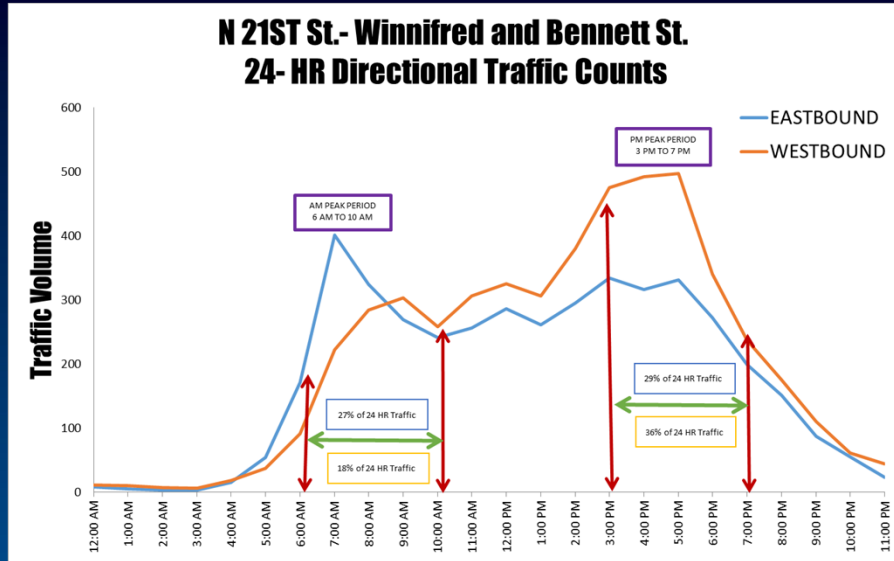
Traffic Study

- 20-year forecast of future volumes
- Used to determine constraints
- Left turn lanes reduce delays

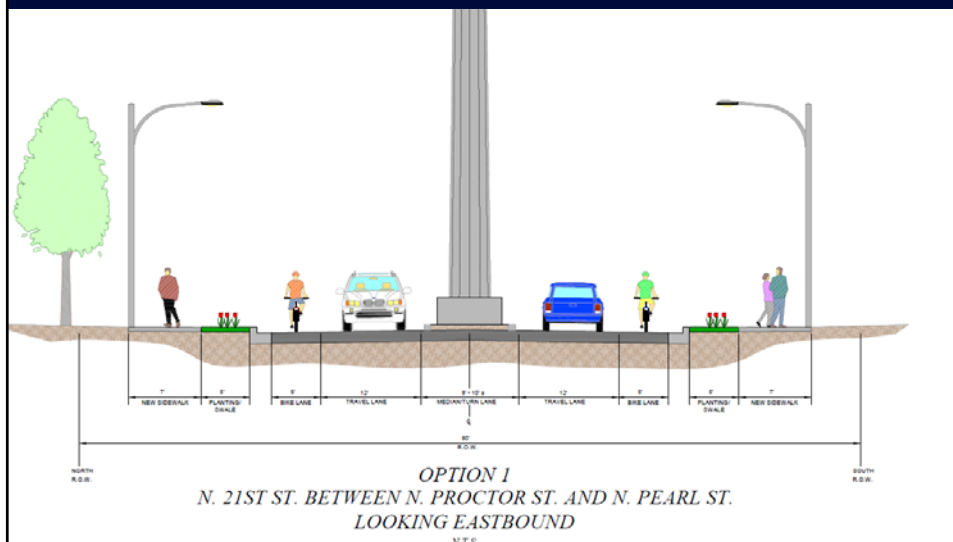
The traffic study report includes several key components:

- Map of N Union Ave at 21st St:** Shows the intersection layout with lanes and traffic flow directions.
- Scenario 1 - Parallel Through Traffic Study:** Discusses through traffic lane changes and potential impacts.
- Scenario 2 - One Westbound (WB) Lane:** Discusses the impact of a single westbound lane.
- Traffic Observational Analysis:** Details 24-hour traffic counts and observations at the intersection.
- 20-30 Year Development Traffic Counts:** A line graph showing projected traffic volume over time for different scenarios.

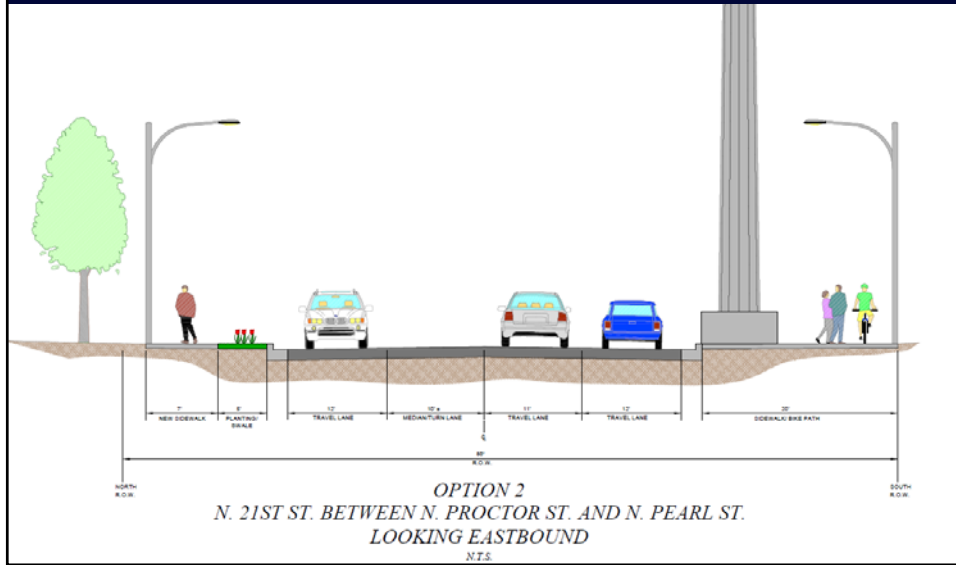
Directional Volumes



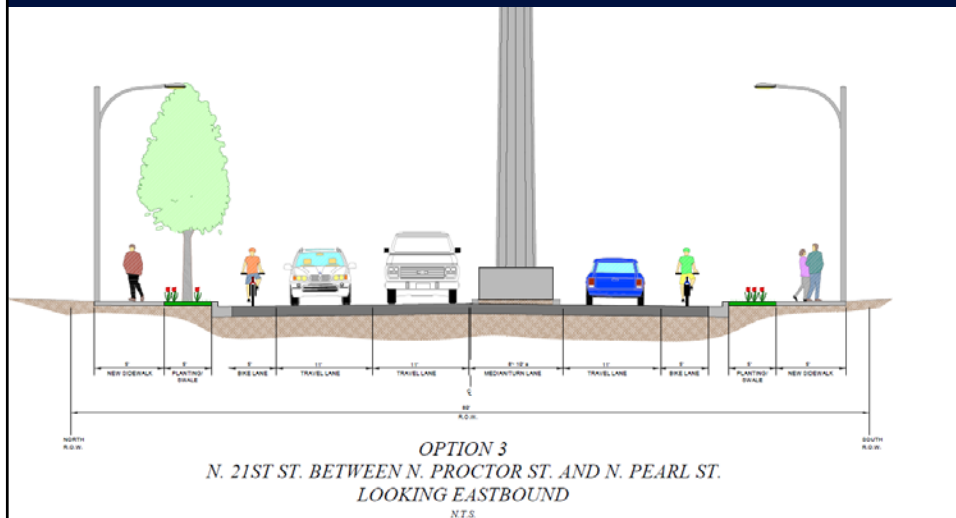
Option 1



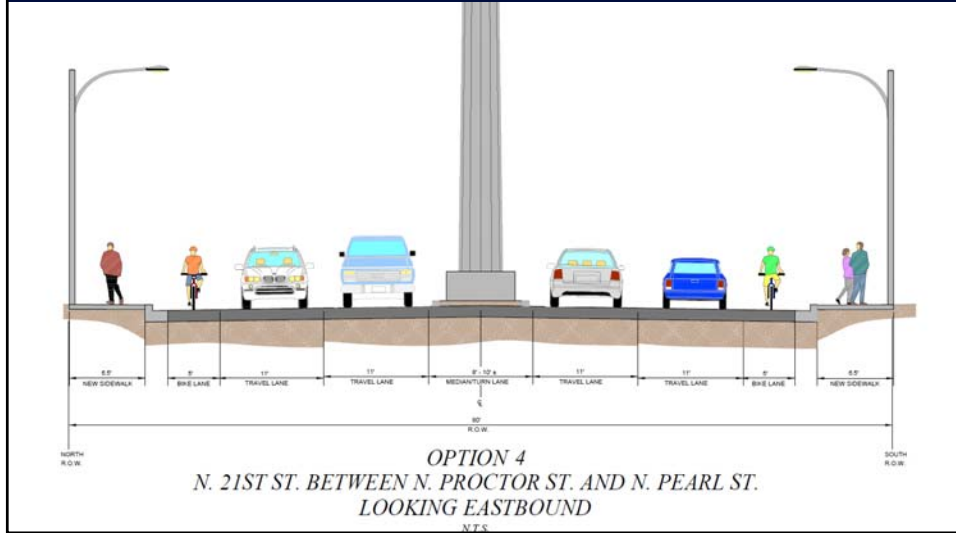
Option 2



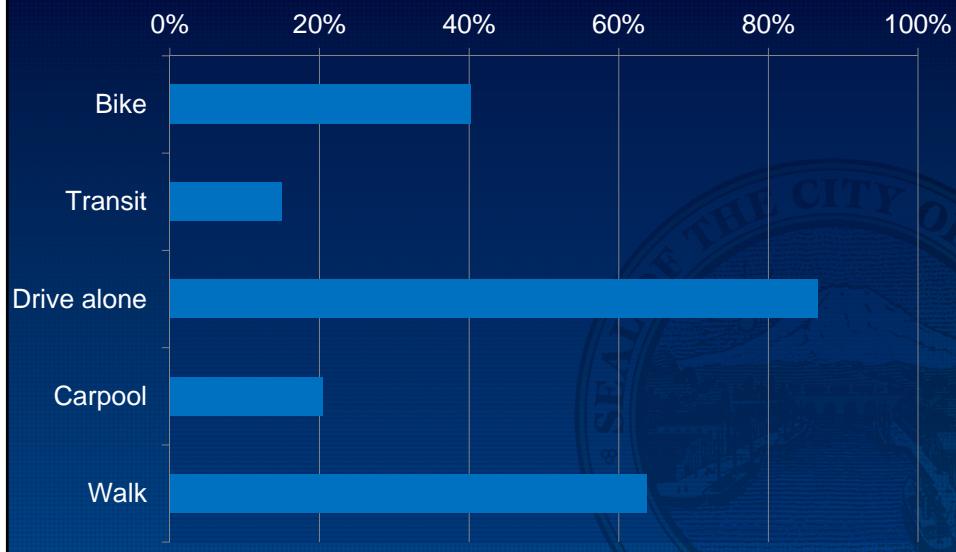
Option 3



Option 4



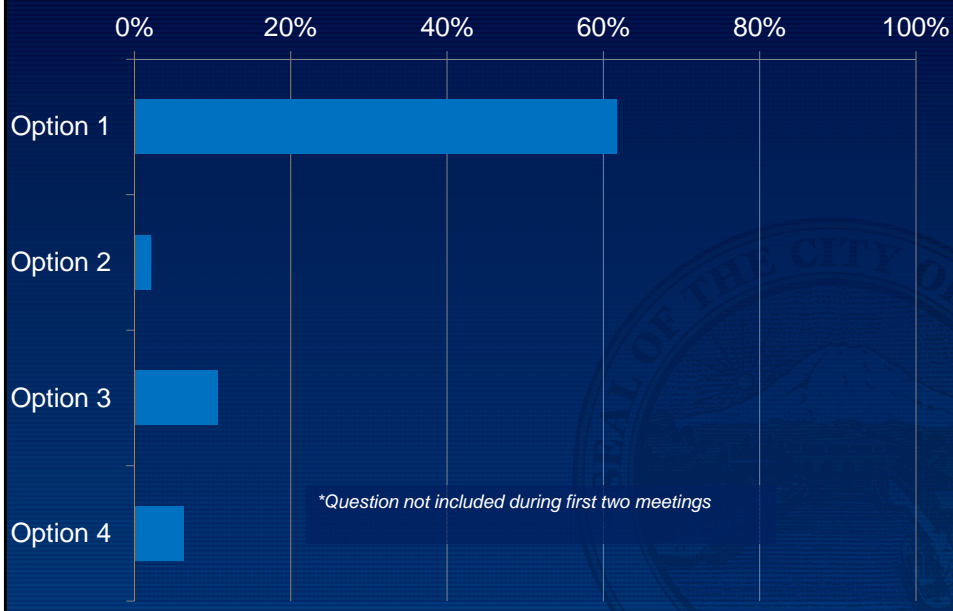
Which modes of transportation do you use?



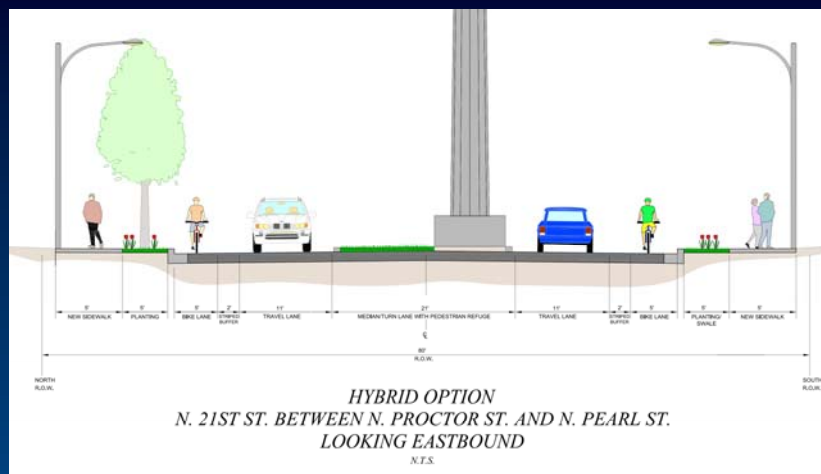
Representative Comments

- “Priority is pedestrian and bike safety.”
- “Need to plan for 20-plus years.”
- “I want it all – ride, bike, walk.”
- “Do not widen lanes. Get speeds lower.”
- “4 lanes as is – put bikes on side streets.”
- “Need to control/enforce speed limits.”
- “Protected lanes somewhere!”
- “Option 1 makes sense for kids needing to cross.”

Which street option do you prefer?



Hybrid Option 3



Recommendations / Next Steps

- Staff recommendation presented to Council Infrastructure, Planning, and Sustainability Committee
- TPU selects pole location
- PW will design the roadway in 2017, and then apply for construction grants

Information Available to Public

- MyTPU.org/21street
- (253) 502-8117



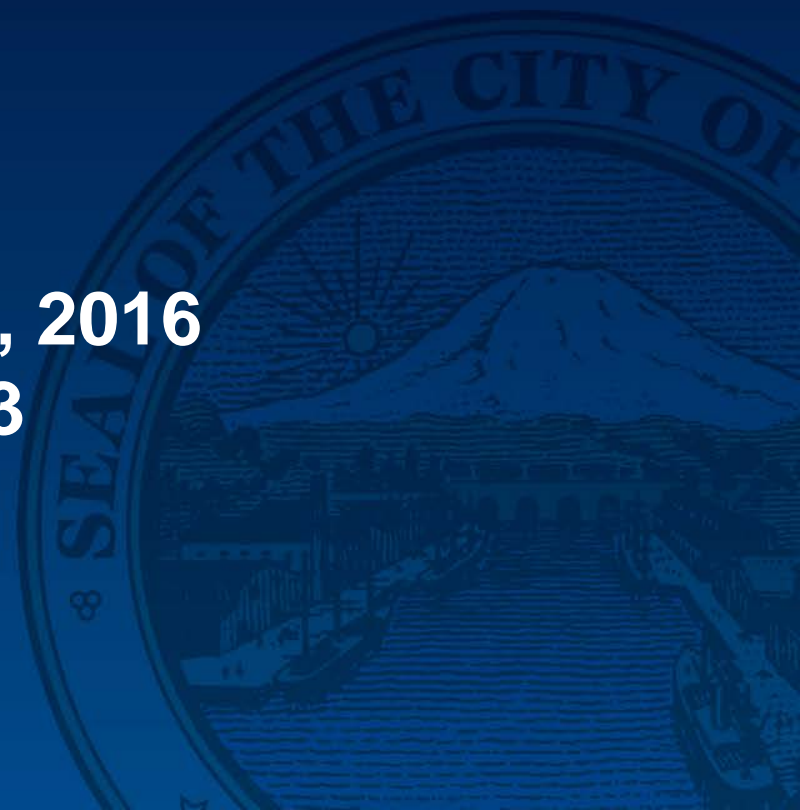
Safe Routes to School Implementation Plan

City of Tacoma

Public Works Department

September 26, 2016

ITEM #3

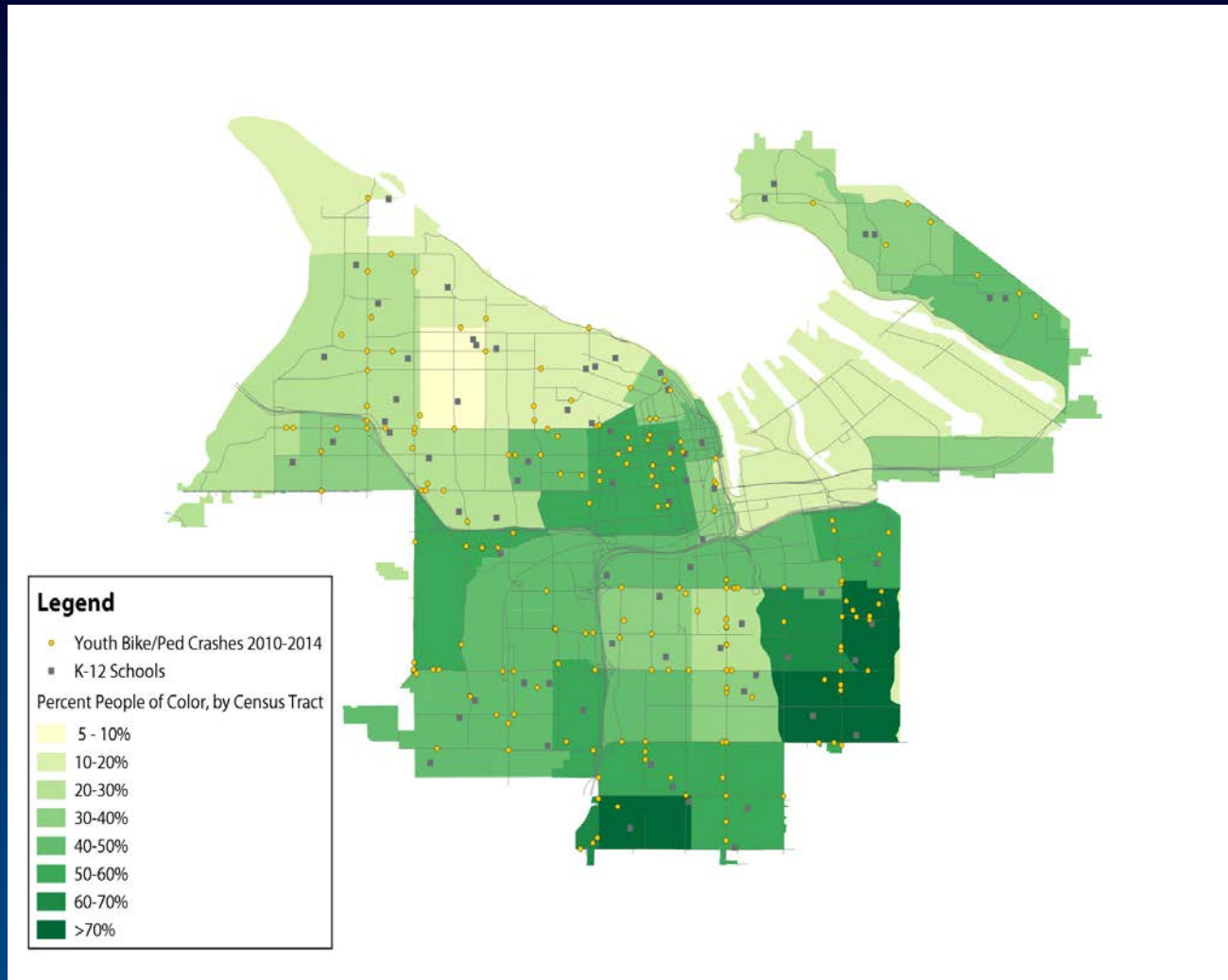


Overview

- Background
- Scope of Work
- Timeline



Background



Scope of Work

- **Core Team: Alta Planning, Puyallup Watershed Initiative, Tacoma School District, Public Works Department**
- **Stakeholder Committee**
- **Outreach**



Scope of Work

- Best Practice Programs
- Funding Opportunities
- Benchmarks/Annual Report
- Action Plan



Timeline

- Sep 26** **Transportation Commission & BPTAG**
- Sep 28** **Infrastructure, Planning, & Sustainability**
- Oct 12** **Stakeholder Committee**
- Nov 16** **Public Open House**
- Jan 2017** **Stakeholder Committee**
- Mar 2017** **Stakeholder Committee**
- April 2017** **Final Draft**

Safe Routes to School Implementation Plan

City of Tacoma

Public Works Department

September 26, 2016

ITEM #3

