

# **Rules and Procedures for Pierce County Solid Waste Advisory Committee**

**Adopted: September 16, 2006**

**Revised: May 11, 2011**

**Revised: April 10, 2013**

**Revised: December 13, 2017**

A Solid Waste Advisory Committee (SWAC) for Pierce County was created by the Pierce County Council and is described in Chapter 2.92 of the Pierce County Code. The SWAC adopts these General Rules and Procedures to supplement provisions of the County Code. Unless otherwise indicated in these Rules of Procedure the following terms apply:

“Department” means Pierce County Planning and Public Works Department;

and

“Staff” means an employee (or employees) assigned by the Planning and Public Works Director, or designee, to work with the SWAC.

## **Members**

- 1) The SWAC is composed of voting and non-voting members, pursuant to Pierce County Code Chapter 2.92.
- 2) During the conduct of meetings, all members – voting and non-voting – shall have equal rights and privileges with two exceptions:
  - a) Non-voting members shall not be counted in the determination of a quorum and shall not vote on matters that require the SWAC to take a formal vote.
  - b) Only voting members shall be eligible to serve as Chair or Vice Chair.

## **Officers**

- 1) The SWAC shall nominate candidates for the positions of Chair and Vice-Chair from the voting members at the first regular meeting scheduled on or after April 1<sup>st</sup>. Nominations may be for a slate of candidates or individual candidates for each position. After the Chair closes nominations, the SWAC shall elect its officers.
- 2) The roles of the Chair and Vice-Chair are as follows:
  - a) The Chair shall serve as the presiding officer of the SWAC.
  - b) The Vice-Chair shall serve as the presiding officer in the absence of the Chair.
  - c) Together, the Chair and Vice-Chair shall regularly coordinate with Staff to propose meeting topics and agenda, evaluate the SWAC’s performance against its work plan, propose training topics or tour opportunities for SWAC members, and schedule external reports and communications.
- 3) If the Chair is unable to fulfill a complete annual term position, the Vice-Chair shall serve as Chair for the remainder of the year.
- 4) If the Vice-Chair position becomes vacant before a regularly-scheduled election, the Chair shall call for nominations and election of a new Vice-Chair to serve for the remainder of the year.

- 5) Should both the Chair and Vice-Chair be absent from a meeting, the member present with the most seniority on the SWAC shall serve as Acting Chair during the meeting.

### **Meetings**

- 1) The SWAC will meet at least four times a year.
- 2) Annually, the SWAC may consider and adopt a proposed meeting schedule and work plan or ask Staff to prepare the same.
- 3) To handle additional workload, the SWAC may schedule additional meetings, as long as sufficient public notice is provided.
- 4) The SWAC will use different types of meeting formats for various purposes:
  - a) A **Community Conversation** is a type of meeting hosted by the SWAC where the SWAC reaches out to the community to gather input on a specific topic before making a recommendation in a report to the County Council or County Executive. Generally at these meetings, the public will be given the opportunity to ask questions about the topic and brainstorm with the SWAC on solutions. The SWAC does not take formal action, such as a vote, at these meetings.
  - b) At regular SWAC meetings, the SWAC will act as a **Sounding Board** to provide guidance and advice on Department ~~or Division~~ proposals, and to provide opportunities for the general public to bring up and comment on solid waste issues. In these meetings the SWAC will use a consensus decision-making process when possible unless a formal vote has been requested.
  - c) When the SWAC has been requested to provide a formal position on an issue by the County Council, Executive, or Department, such as on updates to the Solid Waste Management Plan or on proposed resolutions, ordinances, or programs, the SWAC's purpose will be to provide **Formal Review** and adopt a report with recommendations. In these cases, the SWAC will vote on the recommendation. There will be an opportunity for minority reports.
- 5) Unless otherwise noticed, meetings will be held in a public meeting room at the Tacoma Mall Plaza, 2702 S 42<sup>nd</sup> Street, Tacoma, Washington. The SWAC may choose to schedule meetings in alternate locations around the County particularly when hosting Community Conversation type of meetings.

### **Agenda and Notice**

- 1) Staff, in consultation with the Chair, will prepare a proposed agenda for each scheduled meeting.
- 2) Agendas should provide an opportunity for the public to raise issues not already discussed at the meeting.
- 3) No less than one week prior to the date of the meeting Staff shall post meeting materials on a County webpage designed for SWAC communications and shall also send an e-mail to

SWAC members and interested parties. The posting and e-mail shall serve as notice and include the date, time, and location of the meeting.

- 4) Special meetings should be announced with as much advance notice as possible.
- 5) SWAC members and other persons may request to receive meeting notices and meeting materials by U.S. Mail, or by picking up copies at the Department offices, or other methods mutually agreed to by SWAC Chair and Staff.
- 6) Telephone notice to SWAC members may be used to notify members of special meetings.
- 7) Topics may be added to the proposed agenda by telephoning or e-mailing the Chair and Staff prior to the meeting, or at the opening of the meeting.

### **Conduct of Meeting**

- 1) Members and visitors at the meetings will treat each other with respect, will not monopolize meeting time, and will listen to and try to understand each other's views.
- 2) At Community Conversation meetings:
  - a) The Chair will open the meeting, introduce members and the topic of the meeting, and identify if a presentation is to be made.
  - b) The Chair should explain that no action will be taken at the meeting by the SWAC.
  - c) The audience members will then have the opportunity to ask questions and comment on the topic.
  - d) If an audience member gets too far off the subject or complains about other solid waste issues, the Chair should remind the person of the meeting's topic and direct him or her to raise the topic at a regular SWAC meeting. Staff could be asked to explain to the person, after the meeting, how that particular issue could be handled.
- 3) The SWAC will conduct business by consensus whenever possible and will seek opportunities to develop group solutions and resolve conflicts. To reach a consensus decision, SWAC members will make proposals, hold additional discussion, and then the Chair will call for the consensus decision on the proposal. During the discussion of a topic, the Chair should provide opportunities for audience members to participate.
- 4) Robert's Rules of Order should be used for formal motions when a vote is needed, and may be used when consensus is not achievable.
- 5) Proxy votes are not permitted.

### **Review Process**

- 1) The SWAC may engage in two types of formal review upon receiving requests, duly transmitted in writing, from the Chair of the County Council, the Chair of an appropriate Committee of the Council, the County Executive, or Staff:
  - a) The SWAC may review and make recommendations on resolutions, ordinances, plans, or programs relating to solid waste handling prior to final action by the Council.
  - b) The SWAC may also review and advise the Department on the design and implementation of plans and programs
  - c) After discussion in one or more meetings, the SWAC shall adopt recommendations by a majority vote of the SWAC voting members on the proposed resolution, ordinance, plan, or program they have been requested to review. The Chair, assisted by Staff, shall draft a written response transmitting the SWAC's recommendations.
  - d) If two or more members of the SWAC hold a minority opinion in opposition to the majority vote of the SWAC, those holding the minority opinion may, among themselves, draft a minority report which shall be transmitted at the same time as the Chair's written response.
  
- 2) The SWAC may engage in the following, less formal, advisory roles:
  - a) Holding community conversation meetings to solicit community input on solid waste topics
  - b) Acting as a sounding board, to research and discuss solid waste topics
  
- 3) When the Council, Executive, or Department request formal review or less formal review, the SWAC Chair shall notify SWAC members of the requested action and of any deadlines for completing review or providing advice. This notice may be provided during a regularly scheduled SWAC meeting or through other means of notice as allowed elsewhere in these Rules.
  
- 4) The Chair shall place the item on an upcoming agenda and/or may set a date for the SWAC to solicit comment from the community.
  
- 5) At the Chair's discretion, or by a majority vote of the SWAC voting members, the item may be transmitted to a subcommittee or an Advisory Group for review and comment. The Chair shall establish a deadline for subcommittee or Advisory Group review, provide members with direction or any specific review questions, and schedule regular updates from the subcommittee or Advisory Group Chair, as necessary. If the subcommittee or Advisory Group fails to meet the review deadline, the SWAC shall proceed to take action without subcommittee or Advisory Group comment.
  
- 6) Concerning items of less formal advice: after discussion in one or more meetings, the SWAC shall adopt, by consensus, a written report on the SWAC's findings.
  
- 7) SWAC members wishing to review issues not otherwise requested shall consult with the Chair to have the item placed on a future agenda.

- 8) If the SWAC, by a majority vote, wishes to propose an amendment to an adopted resolution, ordinance, or plan or wishes to request clarification of a Council action or direction, the SWAC Chair shall first prepare a written request with the assistance of Staff outlining the SWAC's reasons for desiring a review/ and asking the Council for direction.

### **Record of actions**

- 1) Regular and special meetings of the SWAC, subcommittees and Advisory Groups shall be electronically recorded. Staff serving as Secretary shall record substantive motions in writing, record votes by roll call, and prepare a meeting summary which shall be considered, revised (if necessary), and adopted by the SWAC at its next regular meeting. Copies of the recording shall be maintained by the Department pursuant to a retention schedule approved by a Department Records Specialist and the State Archivist.

### **Communications**

- 1) Formal communications or reports shall be made in writing.
- 2) The spokesperson at Council meetings for the SWAC shall be the Chair or his/her designee.
- 3) The spokesperson may, through oral presentation, clarify, but not expand upon, formal written communication.
- 4) When a SWAC member takes an independent action on a solid waste issue, such as testimony before the Council, conversation with the Department, or letters to public officials or a newspaper, the member must state on the record that the member expresses a personal opinion rather than a position of the SWAC or Advisory Group. The entire SWAC should be informed of the action.

### **Participation and Attendance**

Pierce County Code 2.92.060 directs the SWAC to adopt "procedures by which the SWAC will notify the County Executive should any member of the SWAC demonstrate performance sufficient to cause his or her removal."

- 1) SWAC members will make every effort to attend all scheduled meeting. Members will notify the Chair and Staff if the member is unable to attend a SWAC meeting. The Chair, with assistance from Staff, shall document the excuse provided for the absences in question. If no excuse is giving for a particular absence, it shall be considered unexcused.
- 2) At the start of each meeting, the Chair will ask Staff to call the roll of SWAC members. For any member absent, the Chair shall announce whether the member's absence is excused or unexcused. Staff will record the roll call, and notify the Chair if a quorum is present.
- 3) Staff will maintain an ongoing attendance record for all SWAC members and provide this record to all SWAC members, in writing, at least quarterly.

- 4) Any member with three or more unexcused absences in any twelve-month period, or who misses greater than 50-percent of the scheduled meetings in any twelve-month period, shall automatically be considered for removal from the SWAC.
- 5) The SWAC may, by majority vote of the SWAC voting members, recommend that the County Executive, with the consent of the County Council, replace any voting member who has three or more unexcused absences, or who misses greater than 50-percent of the scheduled meetings in any twelve-month period. Prior to the SWAC's vote, the member shall have the opportunity to explain why he/she should remain on the SWAC.
- 6) Concerning non-voting members, the SWAC may, by majority vote, recommend to the respective appointing authority or organization, the replacement of any non-voting member who has three or more unexcused absences, or who misses greater than 50-percent of meetings in any twelve-month period.

#### **Subcommittees and Advisory Groups**

- 1) The SWAC may create one or more subcommittees or Advisory groups to advise the SWAC and better manage its work. Subcommittees shall be composed of no more than five voting members of the SWAC. Advisory Groups shall be composed of less than a quorum of SWAC members, and may include non-voting members of SWAC and individuals not serving on the SWAC, selected for subject matter interest or expertise.
- 2) The SWAC Chair shall appoint subcommittee and Advisory Group members, subject to confirmation by a majority of the SWAC voting members.
- 3) The SWAC Chair shall appoint the subcommittee or Advisory Group Chair.
- 4) Subcommittees and Advisory Groups shall be of an advisory nature only and shall make recommendations to the SWAC on matters specifically assigned by the SWAC.
- 5) All members of Advisory Groups share equal rights and privileges including participation in quorums and voting.
- 6) Subcommittees and Advisory Groups may meet informally, without minutes; however, the Subcommittee or Advisory Group Chair shall keep the SWAC Chair informed, and report to the full SWAC at each SWAC meeting which occurs while the subcommittee or Advisory Group exists.
- 7) All Subcommittee and Advisory Group meetings shall be announced to the SWAC, publicized as mutually agreed to by the SWAC Chair and Staff, and held in a location open and accessible to the public.

#### **Conflict of Interest/Appearance of Fairness and Interaction**

- 1) Members of the SWAC shall disclose personal and/or business interests to the committee that would tend to prejudice the member's recommendations to the Council or the Department.

### **Additional Powers and Duties**

- 1) The SWAC, with assistance from Staff, shall provide orientation information to newly appointed members.

### **Role of the Planning and Public Works Department**

- 1) The Department assists the SWAC in the review process through development of agendas, briefings on issues, transmittal of written communication, meeting logistics, and in maintenance of the records of SWAC actions. Records shall be maintained by the Department pursuant to a retention schedule approved by a Department Records Specialist and the State Archivist.
- 2) The Department Director, or designee, assigns an individual to serve as the primary staff contact for the SWAC.
- 3) Subject to staffing and budget constraints, the Department may make available additional staff to assist in staffing subcommittees or Advisory Groups.
- 4) Staff shall meet annually with the Chair and Vice-Chair to review staffing and budget constraints.

### **Amendments**

- 1) These general rules and procedures may be amended by majority vote of the SWAC voting members at any regular or special meeting of the SWAC, provided a proposed amendment has been provided to SWAC members and other interested parties at least one week in advance.
- 2) An amendment may also be proposed at any SWAC meeting provided the vote is held until the next meeting.

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