

**KITSAP REGIONAL COORDINATING COUNCIL
BYLAWS (AMENDED)**

Section 1. PURPOSE: To establish the operating structure and procedures necessary to effect the intent of the Kitsap Regional Coordinating Council Interlocal Agreement.

Section 2. NAME OF ORGANIZATION: The organization is a legal entity known as the Kitsap Regional Coordinating Council herein referred to as the “Council.”

Section 3. ESTABLISHMENT: The Council is established by an interlocal agreement, as amended from time to time, known as the Kitsap Regional Coordinating Council Interlocal Agreement.

Section 4. DEFINITIONS: The following terms have the meaning prescribed to them in this section unless the context of their use dictates otherwise, and are the same terms and meanings set forth in the Kitsap Regional Coordinating Council Interlocal Agreement:

4.1 “*Member agency*” means a voting and dues paying municipal or other government entity located within Kitsap County which is a party to this Agreement.

4.2 “*State*” means the State of Washington.

4.3 “*Region*” means the territory physically lying within the boundaries of Kitsap County.

4.4 “*Kitsap Regional Coordinating Council*” or “*Council*” means the separate legal entity established by the Interlocal Agreement to represent member agencies to carry out those powers and managerial and administrative responsibilities delegated pursuant to the provisions of the Interlocal Agreement.

4.5 “*Executive Board*” shall mean the representatives of member agencies of the Kitsap Regional Coordinating Council identified in Article IV.B. of the Inter-Local Agreement (incorporated below and amended to clarify as to Council/Manager form of government, March 2, 2010).

The Executive Board is comprised of the following representatives of member agencies:

1. County Government: three (3) members of the Kitsap County Board of Commissioners;
2. City Governments:
 - a. The Mayor of each city having a population of 10,000 persons or less;
 - b. The Mayor and one (1) member of the City Council of each city having a population between 10,001 persons and 30,000 persons;

- c. The Mayor and two (2) members of the City Council of each city having a population greater than 30,000 persons;
3. A city with a Council/Manager form of government may select one (1) member of the City Council instead of a Mayor. The number of additional City Council members representing the city shall be as described in 2(a)-(c) above.
 4. Port of Bremerton: one (1) representative consisting of a Port Commissioner.
 5. Port of Kingston: one (1) representative consisting of a Port Commissioner.
 6. Kitsap Transit: one (1) representative consisting of a member selected by the Kitsap Transit Board of Commissioners.
 7. City Council, Kitsap Transit, and Port representatives may be selected by whatever means established by each specific member agency for a two (2) year term.

4.6 “*Cost Allocation*” means annual dues (the annual allocation among Member agencies of the cost of Council operations determined by the Executive Board for the purposes of calculating members’ obligations to contribute to the funding of Council operations for the year, and for the purposes of calculating obligations and distributions in the event of withdrawal or termination).

4.7 “*Ex Officio Member*” means a non-voting, non-dues paying member of the Council.

4.8 “*Associate Member*” means a member of the Council which is not a party to this Agreement and who enters into a separate agreement with the Council that establishes the Associate Member’s level of participation in Council activities.

4.9 “*Executive Director*” is the person or contracted entity appointed by the Executive Board to accomplish the work plan adopted by the Executive Board.

Section 5. DISPUTE RESOLUTION PROCEDURES: The Council acts to facilitate consistency among local plans and between local plans and the County-wide Planning Policies consistent with the Growth Management Act. In cases where the Council finds apparent inconsistency between a local comprehensive plan and the County-wide Planning Policies, it will notify the jurisdiction of the inconsistency and initiate a process of review to try to achieve consistency. If, after completion of this process, the inconsistency remains, the Council will, where appropriate, recommend specific changes to the jurisdiction to achieve consistency.

In the event of conflict among member agencies regarding amendments to County-wide planning policies, which is not resolved after reasonable efforts, the conflict shall be brought to the attention of the Council in writing by one or more of the member agencies involved in the conflict. The written notice must inform the Council of the nature of the conflict, and the agency providing notice must justify its position for contesting the County-wide planning policies. The

Council will use the notice to initiate a process for review, and recommend a resolution to the conflict.

Section 6. PUBLIC PARTICIPATION: The Council provides for effective means of public participation in its deliberations.

Section 7. ALTERNATE AND EX OFFICIO REPRESENTATION:

7.1. Alternate representatives to the Executive Board may be designated by each member agency and by ex officio members. Alternate representatives for member agencies shall consist only of elected official(s). Kitsap Transit may designate a non-elected senior staff person as an alternate. Only in the absence of a representative shall a designated alternate be entitled to voting privileges. Each designated alternate is entitled to the same voting privileges as the representative. For example, a County Commissioner may appoint an alternate representative to attend and vote at one or more meetings that the County Commissioner is unable to attend; provided that the alternate representative is an elected Kitsap County official.

7.2. The Council can consider Ex Officio membership status for other government entities, at their discretion. This category of membership is designed to increase policy-level communication and collaboration among other public agencies within Kitsap County.

7.2.1 Ex Officio members do not vote.

7.2.2 Ex Officio members shall not pay membership dues.

7.2.3 Ex Officio members' representative may be selected by whatever means established by each specific member agency for a two (2) year term. Ex Officio members' representatives may have a designated alternate.

7.2.4 The Council's designation of Ex Officio members shall be by simple majority vote in conformance with Section 9.5 herein.

Section 8. OFFICERS, ELECTION, TERMS AND DUTIES:

8.1 The officers of the Council are a Chair and a Vice Chair, who are elected by the Council at the last regularly scheduled meeting during each calendar year. The Chair and Vice Chair shall be from different member agencies. Ex Officio Members and Associate Members are not eligible to serve as officers.

8.2 The Chair and Vice Chair serve a one-year term from the first day of January through the last day of December of each year.

8.3 In the event there is a vacancy in the office of the Chair, the Vice Chair succeeds to the office of Chair for the unexpired portion of the term. In the event there is a vacancy in the office of Vice Chair, the Council elects a new Vice Chair at the next regular meeting to serve the unexpired portion of the term. In the event both offices become vacant, the Council elects a new Chair and Vice Chair to serve the unexpired portion of the terms.

8.4 Duties of the Chair:

- 8.4.1 The Chair is a member of the Executive Board, and presides at the meetings of the Council;
- 8.4.2 Create, appoint, and discharge Council committees unless otherwise provided in these By-laws;
- 8.4.3 Serve as Chair of the Executive Committee;
- 8.4.4. Call for the vote on all motions properly presented and seconded;
- 8.4.5 Enforce the procedural rules of the Council during meetings
- 8.4.6 Participate in deliberations of the Council;
- 8.4.7 Vote in all matters before the Council;
- 8.4.8 Ensure that the functions of the Council are carried out to the best of his or her abilities;
- 8.4.9 Make reports as necessary to the Council; and
- 8.4.10 Execute on behalf of KRCC all contracts, agreements, and other documents and papers duly authorized by the KRCC that may require signature.

8.5 The Vice Chair performs the duties of the Chair in the absence of the Chair and is a member of the Executive Committee.

Section 9. MEETINGS, QUORUM, VOTING:

9.1 The Council, through its Executive Board, meets monthly or as necessary to fulfill its purpose and function, to discuss issues of mutual interest, and to take action on items as necessary or appropriate.

9.2 Meetings of the Executive Board and Standing Policy Committees created by the Chair shall conform to the Open Public Meetings Act, Chapter 42.30 RCW.

9.3 On items that are deliberative in nature, the Council strives for consensus. Procedures in the current edition of Robert's Rules of Order-The Modern Edition are adopted by the Council for its regular and special meetings unless they are inconsistent with these By-laws or any special rules of order the Council has adopted.

9.4 A quorum of the Executive Board is a simple majority of representatives of member agencies. Each representative of a member agency who is present at the meeting shall be entitled to cast one vote. Designated alternatives are entitled to vote only in the absence of the representative as set forth in Section 7.1 herein. Telephonic participation is not authorized for regular meetings, but is authorized for special meetings pursuant to section 9.6.5.

9.5 Unless otherwise specified, actions by the Council are affirmed by a simple majority vote. A majority vote is more than one-half (1/2) of those present and voting.

9.6 Notwithstanding any other language in these bylaws, approval of the following actions will require a super-majority affirmative vote of 75% of the Executive Board:

- Approval of Countywide Planning Policies and appendices;
- Approval of the KRCC annual budget and work plan;
- Approval of transportation competition funding recommendations; and
- Approval of any other item that a majority of voting members agree must be approved by a super-majority affirmative vote of 75% of the Executive Board.

9.7 Special Meetings may be called, pursuant to Chapter 42.30 RCW, at any time as follows:

9.7.1 The Chair, after a reasonable attempt to contact each of the other members of the Executive Committee and with concurrence of a majority of the Executive Committee, may call a special meeting of the Council.

9.6.2 Written notice must be delivered personally or by mail and by e-mail or fax, at least 24 hours before the time of the special meeting, to each member of the Council and to each local newspaper of general circulation and each local radio or television station that has on file with the Council a written request to be notified of that special meeting or of all special meetings. Written notice is not required when a member, prior to or at the meeting, files written notice of waiver of notice, or the member is telephonically present pursuant to section 9.4, or is physically present at the meeting.

9.7.3 The notice must specify the time and public place of the special meeting, and the business to be transacted.

9.7.4 The Executive Board may take final action only concerning matters identified in the notice of the meeting.

9.7.5 Telephonic participation via speakerphone is allowed for special meetings. Any or all members may participate telephonically. The place selected for the meeting must be equipped with a speakerphone with conference call capability. Members participating telephonically must identify themselves while voting telephonically and as needed during discussion.

9.7.6 A quorum of the Executive Board must participate, and voting majorities as described in Sections 9.4 and 9.5 are required for action.

9.8 The Council may organize, sponsor, and convene general assembly meetings of member agencies, Ex Officio members, and Associate members.

9.9 Staff or elected officials from municipal or government entities within Kitsap County that choose not to be a dues paying member of KRCC and are not voted in as an Ex-Officio or Associate member may not have a regular seat, but may make presentations to standing KRCC

committees to ensure access to regional transportation funding and to support consistency with comprehensive plans and Countywide Planning Policies across the Kitsap County jurisdictions.

Section 10. COMMITTEES:

10.1 At the first Executive Board meeting of each calendar year, the Chair appoints an Executive Committee. Members of the Executive Committee will include: one County Commissioner, and two representatives of two City governments and includes the Chair and Vice Chair, for a minimum of three members. The Executive Committee's responsibilities include:

- 10.1.1 Monitoring the annual work program and budget performance and recommending revisions, if necessary;
- 10.1.2 General oversight of the executive director, consistent with the Council's contract with the executive director for such services; or, of any employee hired by the Council. The Executive Committee is responsible for reviewing and ensuring that all expenditures submitted for reimbursement by the executive director complies with the executive director's contract;
- 10.1.3 Oversight of the Council's records retention requirements;
- 10.1.4 Recommending amendments to the Interlocal Agreement and By-laws;
- 10.1.5 Preparing a recommended annual work program and budget for the succeeding year; and
- 10.1.6 Undertaking such studies and activities as assigned by the Chair or Council.

10.2 The Chair may appoint or the Council may request that the Chair appoint other committees as needed to advise or assist the Council in fulfilling its functions. Committee composition should include, as appropriate, representatives of County, City and Tribal governments, the Port of Bremerton, or other members.

Section 11. AMENDMENTS: These By-laws may be amended at a meeting of the Council by a two-thirds (2/3) majority vote of those present and voting, provided that a copy of the proposed amendment has been sent to each Council representative at least thirty (30) business days prior to the meeting at which the vote to amend is scheduled. Voting must be in conformance with Section 9.6 herein.