



City of Longview

1525 Broadway
Longview, WA 98632
www.ci.longview.wa.us

Agenda

City Council

*Mayor Spencer Boudreau
Mayor Pro Tem Kalei LaFave
Council Member Ruth Kendall
Council Member Angie Wean
Council Member MaryAlice Wallis
Council Member Keith Young
Council Member Erik Halvorson*

Thursday, June 13, 2024

5:00 PM

2nd Floor, City Hall

NOTICE IS HEREBY GIVEN, in accordance with RCW Chapter 42.30, that the City Council of the City of Longview, Washington, will conduct a special meeting in the Longview City Hall Council Chamber, 1525 Broadway, Longview, on Thursday, June 13, 2024 at 5:00 p.m. The topics of discussion follow. No final action will be taken.

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Office at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting. Please note - virtual attendees may comment verbally during public hearings only. Virtual attendees may also submit written comments to the Clerk's Office with the heading, "Public Comment for disbursement to the City Council".

<https://us02web.zoom.us/j/82394132374>

Telephone options (dial any of the following numbers):

1-253-215-8782
1-346-248-7799
1-408-638-0968
1-669-900-6833
1-301-715-8592
1-312-626-6799
1-646-876-9923

Webinar ID: 823 9413 2374

1. CALL TO ORDER
2. FLAG SALUTE
3. ROLL CALL

4. WORKSHOP

24-00503 WCIA COUNCIL COURSES - COUNCIL DO'S & DON'TS (TIME ESTIMATE 1 HOUR)

5. ADJOURNMENT

*** Any invocation that may be offered at the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.**



City of Longview

Agenda Summary

WCIA COUNCIL COURSES - COUNCIL DO'S & DON'TS (TIME ESTIMATE 1 HOUR)

This is a one-hour training that is provided by WCIA Deputy Director Rob Roscoe.

The *Council Do's and Don'ts* is a one-hour training that covers the following topics:

- WCIA Orientation, Background & Purpose
- Liability Exposures for Council Members
- How Council Members Can Avoid Liability
- Executive Session Leaks and Impacts on Liability

Attachments:

1. 2024-Council Do's and Don'ts-Rob Roscoe

City Council Do's and Don'ts

Presented by
Rob Roscoe
Deputy Director
Washington Cities Insurance Authority

Washington Cities Insurance Authority

- A municipal non- profit organization of Washington public entities joined to share risk
 - Over 165 members and over \$193 million in assets
- Advantages of WCIA Membership
 - Run by a board of directors composed entirely of members
 - Assist members in avoiding and reducing losses through risk management, training, and claim handling
 - Stability and transparency in rates
 - Coverage decisions made by the Executive Director with appealable rights to the Executive Committee

Washington Cities Insurance Authority

- Provides Self-Insurance Liability Coverage
 - Auto Liability, General Liability, Employment Practices, Errors & Omission
 - \$20,000,000 per Occurrence
 - Look for coverage not exclusions
- Additional Insurance
 - Member Property, Auto & Boiler Machinery
 - Crime Fidelity purchased by members
 - Cyber and Pollution Premises Liability purchased for all members

Avoiding Liability

Individuals can receive absolute immunity for legislative activities

- Adoption of budgets, ordinances, and resolutions

Only within context of council meeting as a whole and not acting as an individual

Avoiding Liability

Land Use

- Use of Hearing Examiners
 - Less issues with appearance of fairness
 - Eliminates many arbitrary and capricious decision allegations
- Do not insert yourself in the process
 - Westmark v. Burien, Mission Springs v. Spokane
- Development Agreements
 - Held to contractual law and remedies which may not be covered WCIA

Avoiding Liability

Personnel

- Stay in legislative role
 - Set policies, budgets, municipal codes
 - Do not stray into Executive role
 - Management of employees, hiring/firing, discipline
- Harassment and Discrimination
 - Held to same standard as City employees
 - Can be sued individually
 - Know the law and your policies
 - Report to Executive
 - If you witness behavior or are made aware of problem by employee

Avoiding Liability

Negligent Misrepresentation

- Do not make specific promises or assurances
- Refer specific questions to staff
- Do not take matters into your own hands

Avoiding Liability

Defamation

- If the statement/opinion is regarding a legislative concept you have immunity
- Careful discussing or naming individuals
 - Are they a public official, staff or private individual?
 - Any untruth gives rise to liability

Avoiding Liability

Public Works

- Do not “politically engineer”
 - Crosswalks, Signs, Speed Limits
 - Ask for staff input off the record
 - Have staff respond to public requests
 - Joint and Several Liability
- Avoid promises, assurances and inflammatory statements

Avoiding Liability

Do not leak Executive Session information

- Resist the temptation to share
- Disclose conflicts prior to session and recuse yourself
- Claims and Litigation
 - Can jeopardize defense
 - Possible sanctions imposed

Avoiding Liability

Be mindful of written communications

- Email/Social Media

- Always use City email address, not personal
 - Public record and discoverable in litigation
- Is your social media account personal? For election activity? To discuss City business?
 - Do you allow comments and discussions?
 - » Possible Public Forum creation with First Amendment Protections



www.wciapool.com

Washington Cities Insurance Authority
P.O. Box 8