



CITY OF  
**Vancouver**  
WASHINGTON

# Open Public Meetings Act Training Culture, Arts and Heritage Commission

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# Open Public Meetings Act

Chapter 42.30 RCW

- What is OPMA?
- Training Requirements
- Definitions
- Requirements
- Prohibitions
- Avoiding OPMA Risk
- Resources



# What is the Washington Open Public Meetings Act?



# Open Public Meetings Act

## Ch. 42.30.205 RCW - Commissioner Training Requirements

- CAHC Commissioners must complete OPMA trainings within 90 days of appointment to the CAHC
- CAHC Commissioners must renew their training at least every four years
- This training satisfies these requirements.



# Open Public Meetings Act

## Chapter 42.30.010 RCW – Legislative Declaration

- The legislature finds and declares that all public commissions... exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.
- The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed and informing the people's public servants of their views so that they may retain control over the instruments they have created. For these reasons, even when not required by law, public agencies are encouraged to incorporate and accept public comment during their decision-making process.



# Open Public Meetings Act

## Chapter 42.30 RCW

- State Law
- Ensures commission meetings are open and public
- Attendance open to all persons
- Public may not be required to identify themselves as condition of attendance
- Minutes must be recorded and open to public inspection



# OPMA Definitions



# Open Public Meetings Act

## Ch. 42.30.020 RCW - Definitions

- (1) **Public agency** means ... (c) any subagency created by ordinance...including... commissions...
- (2) **Governing body** means ... the commission
- (4) **Meeting** means meetings at which action is taken.
- (3) **Action** means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.





# OPMA Requirements



# Open Public Meeting Act Requirements

## Ch 42.30 RCW

- Meetings Open and Public (42.30.030)
- Minutes (42.30.035)
- Provide regular time for meeting (42.30.075)
- Make agenda available online 24 hours in advance (42.30.077(1))
- Public Comment (42.30.240)
- Special Meetings / Special Notice (42.30.080)
- Continuance
- Executive Sessions (Limited Applicability 42.30.110)



# OPMA Prohibitions



# Open Public Meeting Act Prohibitions

## Ch 42.30 RCW

- Non-Public Meetings – Is there a Quorum? (42.30.010)
- Secret Voting (42.30.060)
- Fully Remote Meetings (42.30.230)



# Avoiding OPMA Noncompliance



# Avoiding OPMA Risk / Noncompliance

## Ch 42.30 RCW

- Don't communicate about CAHC matters when a quorum (6) is present outside a public meeting.
- City staff will email blind copy (bcc) members to avoid serial meetings.
- Establish communications best practices
  - Commission members should share information passively (bcc)
- Violations
  - Personal Liability – Civil Penalty \$500 first violation / \$1000 thereafter
  - Attorneys Fees for prevailing plaintiff in all claims
  - Action Void (42.30.06(1))





## A word on the Public Records Act 42.56

- All 'writings' are public records
- Personal devices may become subject to PRA requests
- Use City of Vancouver email for commission-related communications





# Thank you!

## OPMA Resources

- [Open Public Meetings Act](#)
- [MRSC – OPMA Decisions and Attorney General Opinions](#)
- [MRSC OPMA FAQs](#)
- [MRSC OPMA eBook](#)





# Comments & Questions



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