



## WORKSHOP MEETING NOTICE OAK HARBOR CITY COUNCIL

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**NOTICE IS HEREBY GIVEN** that the Oak Harbor City Council will hold a Workshop Meeting on:

**Date:** Wednesday, October 28, 2015

**Time:** 3:00 p.m. – 5:00 p.m.

**Location:** City Hall Council Chambers, 865 SE Barrington Drive, Oak Harbor, WA 98277

Note that no action will be taken.

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### AGENDA

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#### 1. Introduction of New Employees

#### 2. Departmental Briefings

- a. School Resource Officer Staffing – Police Department
- b. Model Airplane Park Use Agreement – Public Works
- c. CWF – Windjammer Park Integration Plan – Dev/Services

#### 3. Pending Agenda Items

- a. Electronic Device and Wi-Fi Policy for City Council (11/17) – Legal/Admin
- b. Beach Avenue Road Vacation (11/04) – Legal
- c. 2016 Legislative Priorities – Admin
- d. 2016 Property Tax Levy (11/17) – Finance
- e. Maritime Zoning Regulations (11/04) – Dev/Services
- f. Senior Services of Island County Agreement (11/04) – Dev/Services
- g. Deception Pass Bridge Hangers – PW

#### 4. Emerging Issues

- a. Sign Code Amendments required by *Reed v. Town of Gilbert* – Legal

Anna M. Thompson  
City Clerk  
Posted on October 22, 2015

POSTED: City Hall Bulletin Boards  
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Mayor Scott Dudley  
Oak Harbor City Council  
Directors

REMOVE: After October 28, 2015

The City Council may meet informally in workshop sessions (open to the public) to do concentrated strategic planning, review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Administrator, provided that all discussions and conclusions thereon shall be informal. Council shall make no disposition of any item at a workshop meeting. Public comment is not normally allowed at workshop meetings, although Council may allow, or request participation.

**Please contact the City Clerk at 360-279-4539 within 24 hours advance notice for special accommodations.**



# Workshop Item

## Pending Agenda Items

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**Item 3.a Resolution 15-30: Adopting an Electronic Device and Wi-Fi Policy for City Council**

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**Nikki Esparza, City Attorney**

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## Attachments

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Attachment A: Resolution 15-30

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Attachment B: Exhibit A

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RESOLUTION NO. 15-30

A RESOLUTION CREATING A WIRELESS INTERNET POLICY GUIDING THE USE OF WI-FI BY ELECTED OFFICIALS IN CITY FACILITIES AND USE OF PERSONAL DEVICES TO CONDUCT CITY BUSINESS

WHEREAS, the City Council provides wireless internet capabilities in City facilities, including council chambers; and

WHEREAS, increased information access enhances the decision-making of elected officials while deliberating on community matters; and

WHEREAS, changes in technology have allowed for communication, access to internet, and document storage and creation on personal electronic devices; and

WHEREAS, the City Council desires to uphold both the spirit and legal letter of the state's open government laws, including the state's Public Records Act and Open Public Meetings Act.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Oak Harbor that:

**Section One.** The City Council adopts by reference the attached Exhibit "A" - POLICY FOR USE OF COUNCIL CHAMBERS WI-FI AND USE OF PERSONAL DEVICES BY ELECTED OFFICIALS.

PASSED by the City Council and approved by its Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF OAK HARBOR

\_\_\_\_\_  
SCOTT DUDLEY, MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
Anna Thompson, City Clerk

\_\_\_\_\_  
Nikki Esparza, City Attorney

## EXHIBIT "A"

### POLICY FOR USE OF COUNCIL CHAMBERS WI-FI AND USE OF PERSONAL DEVICES BY ELECTED OFFICIALS

**TITLE:** Policy regarding wireless Internet, email, instant messaging and other communication devices for City Councilmembers.

**PURPOSE:** The City of Oak Harbor provides a wireless internet system ("Wi-Fi) for use in City Council chambers for the purpose of providing an effective method to communicate, perform research and obtain information that will assist in performing City Council related tasks.

The purpose of this policy is to provide guidelines on appropriate use, care and requirements of City-provided wireless Internet and to provide basic information on the appropriate use of City-issued or personal communication devices.

**POLICY:** It is the policy of the City of Oak Harbor to adhere to the Revised Code of Washington (RCW) 42.30 regarding Open Public Meetings and RCW 42.56 regarding Public Records.

- (1) Councilmembers are expected and have the obligation to use good judgment when using the Internet and electronic communication tools while in a City Council session. It is strongly recommended that Councilmembers only use City-provided Wi-Fi in Council chambers to access information related to City business from the City of Oak Harbor website ([www.oakharbor.org](http://www.oakharbor.org)). Should a Councilmember have an issue with access to Wi-Fi services in Council Chambers, they should notify the City Clerk.
- (2) All records, regardless of format, related to the conduct of City business reviewed, created or altered must be retained per the State of Washington Local Government Common Records Retention Schedule (the CORE manual), pursuant to 42.56 RCW and 40.14 RCW, Preservation and Destruction of Public Records.
- (3) The City reserves the right to access, monitor and disclose the contents of electronic messages and any record, regardless of format, related to the conduct of City business on City-issued or personal devices that Councilmembers use to access the City's Wi-Fi system. Councilmembers should have no expectation of privacy in either sending or receiving electronic messages, or other information on the Internet, City network or other electronic media.
- (4) Per state law, all documents, files, communications and messages created, reviewed or altered that are related to the conduct of City business, regardless of format, are property of the City. As a result, these documents, files, communications and messages are not private or confidential unless otherwise noted in the Revised Code of Washington.
- (5) Because electronic messages can be retrieved even after deletion by the author or recipient, and are not confidential, users should treat each electronic message as they would a hard

copy that would potentially be distributed to everyone in the City and subject to discovery in a legal proceeding.

- (6) The City also needs to be able to respond to proper requests resulting from legal proceedings that call for electronically-stored evidence. Therefore, the City must, and does, maintain the right and the ability to enter into any of these systems and to inspect and review any and all data recorded in those systems. Because the City reserves the right to obtain access to all electronic mail messages left on or transmitted over these systems, Councilmembers should not assume that such messages are private and confidential or that the City or its designated representatives will not have a need to access and review this information.

The City reserves the right to regularly monitor electronic mail messages, information and all documents.

The contents of computers and electronic mail, properly obtained for some legitimate business purpose, may be disclosed by the City if necessary within or outside of the City.

- (7) Any Councilmember who violates this policy for improper uses may be subject to revocation of privileges.
- (8) All Councilmembers are required to work collaboratively with the City Clerk's Office for access to a City-issued electronic device when responding to a public records request.
- (9) In order to facilitate compliance with this policy and to promote the efficient collection and retention of public documents in electronic format, all Councilmembers should conduct City related business only through the City's server or on City-issued electronic devices.
- (10) City business should not be conducted by text message.
- (11) All Councilmembers should refrain from conducting City business using private email accounts. If a Councilmember receives an email that qualifies as a public record, the Councilmember shall forward the email to his/her City email and respond using the City account so as to preserve the record on the City system.
- (12) Upon request of the City Clerk or City Attorney, Councilmembers shall conduct a good faith search of personal devices for public records and shall sign an affidavit detailing the search and its results.



# Workshop Item

## **Calls for Service - Monthly Update**

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**Oak Harbor Police Department Calls for Service**

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**Edgar J. Green, Chief of Police**

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## **Attachments**

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Attachment A: Calls for Service September 2014 / September 2015

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OAK HARBOR POLICE  
 Law Total Incident Report, by Nature of Incident  
 September 2015

Nature of Incident	Total Incidents
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911 Hang Up	100
Alarm Commercial	22
Alarm Residence	6
Animal	91
Assault Physical	12
Assist Agency	19
Assist Public	80
Burglary Attempt	3
Burglary Commercial	2
Burglary Residential	7
Civil	11
Court Order Violation	8
Disorderly Conduct	13
Physical Domestic	25
Verbal Domestic	27
Commercial Fire Alarm	2
Fire Brush	1
Fire Residential	2
Fraud Bad Check	2
Fraud Other	8
Harassment	15
Information Report	5
Juvenile Complaint	4
Juvenile Neglect/Abuse	10
Juvenile Runaway	3
Littering	2
Malicious Mischief	29
Medical Emergency	24
Medical Emergency	3
Mental Non Criminal	2
Missing Person	4
Non Injury Accident	31
Unknown Injury Accident	13
Noise Complaint	12
Patrol Check	4
Lost or Found Property	31
Prowler	4
Rape	2
Reminder (office use)	2
Robbery Armed	1
Sex Lewd Conduct	2
Sex Offense Other	3
Soliciting	8
Threatened Suicide	17
Suspicious Person/Circumstance	53
Theft	32
Theft Services	1
Theft Shoplift	9

Threats	8
TMVWOP	1
General Traffic	40
Traffic Disable	5
TRAFFIC CRIMINAL DWLSR	14
Traffic Hazard	4
TRAFFIC POSSIBLE DUI	15
**Traffic Stop	1
Trespass Other	25
Unsecure Premise	2
Utility Problem	13
VEHICLE ABANDON	4
Vehicle Impound	4
Prowl Motor Vehicle	12
Vehicle Theft	1
Verbal Dispute	5
Vice Liquor HBD	3
Vice Liquor MIP	2
Vice VUCSA	24
Wanted Person	14
Weapon Offense	10
Welfare Check	49

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Total Incidents for This Report: 1023

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OAK HARBOR POLICE  
 Law Total Incident Report, by Nature of Incident  
 September 2014

Nature of Incident	Total Incidents
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911 Hang Up	110
Alarm Commercial	23
Alarm Residence	9
Animal	124
Assault Physical	19
Assist Agency	22
Assist Public	76
Burglary Attempt	3
Burglary Commercial	1
Burglary Residential	9
BURN COMPLAINT	1
Civil	24
Court Detail	1
Court Order Violation	8
Custodial Interference	3
Disorderly Conduct	27
Physical Domestic	25
Verbal Domestic	31
Commercial Fire Alarm	1
Fire Commercial	1
Fire Service Call	1
Fraud Other	14
Harassment	15
Information Report	10
Juvenile Complaint	9
Juvenile Neglect/Abuse	12
Juvenile Runaway	7
Kidnapping	1
Littering	2
Malicious Mischief	25
Marine Incident-Non Emergency	2
Medical Emergency	12
Mental Non Criminal	7
Missing Person	15
Non Injury Accident	35
Unknown Injury Accident	9
Noise Complaint	12
Nuisance Other	3
Patrol Check	2
Lost or Found Property	27
Prowler	3
Robbery Armed	2
Sex Lewd Conduct	1
Sex Offense Other	2
Soliciting	10
Threatened Suicide	20
Suspicious Person/Circumstance	87
Theft	25

Theft Services	1
Theft Shoplift	14
Threats	15
TMVWOP	2
General Traffic	42
Traffic Disable	4
TRAFFIC CRIMINAL DWLSR	9
Traffic Hazard	9
TRAFFIC POSSIBLE DUI	20
Trespass Other	26
Unsecure Premise	3
Utility Problem	21
VEHICLE ABANDON	9
Vehicle Impound	4
Prowl Motor Vehicle	10
Vehicle Theft	3
Verbal Dispute	5
Vice Liquor HBD	16
Vice Liquor MIP	3
Vice VUCSA	10
Wanted Person	19
Weapon Offense	13
Welfare Check	38

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Total Incidents for This Report: 1184  
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