

ORDINANCE NO. 15-1056

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO THE AD HOC ADVISORY COMMITTEES FORMED BY THE CITY COUNCIL, DEFINING SUCH COMMITTEES, SCOPE OF WORK, MEMBERSHIP, NOMINATION AND CONFIRMATION PROCESS, RESIDENCY REQUIREMENTS, OFFICERS, QUORUMS, TERMS OF OFFICE, CONFLICTS OF INTEREST, PROCEDURES FOR THE ADOPTION OF RULES, KEEPING OF MINUTES AND CONDUCT OF MEETINGS, COMMUNICATIONS TO THE CITY COUNCIL, COMPENSATION AND REIMBURSEMENT OF EXPENSES, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Black Diamond City Council desires to establish ad hoc advisory boards to provide recommendations and advice to the Council on various matters; and

WHEREAS, the City has no procedures to address ad hoc advisory boards; now, therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. A new chapter 2.95 is hereby added to the Black Diamond Municipal Code, which shall read as follows:

**CHAPTER 2.95
AD HOC ADVISORY COMMITTEES**

Sections:

2.95.010 Definitions

“Ad Hoc Advisory Committee” means any Committee or Commission created by the City Council to give advice on subjects and perform such other functions as prescribed by the City Council. Ad Hoc Advisory Committee shall also include task forces, informal committees, or working groups formed by the City Council by resolution for short periods of time or for specific tasks.

2.95.020 Purpose and Application. The purpose of this section is to establish general procedures applicable to all Ad Hoc Advisory Committees. The provisions of this Chapter shall govern all Ad Hoc Advisory Committees unless otherwise specifically provided by ordinance, motion or resolution of the City Council, or as may be required by state law. In

establishing an Ad Hoc Advisory Committee, the Council shall consider the following:

- A. Scope of work and a clear task description;
- B. Term of Committee – a sunset provision;
- C. Membership, nomination, and confirmation process, and residency or other special member requirements;
- D. Term of office;
- E. Place of Committee within City or Council structure – who does the Committee report to?
- F. Councilmember liaison (if any);
- G. Time frames for Committee action on tasks;
- H. Time frames for Council or Committee action, for example, periodic review or interim reports;
- I. Staffing (if any) for the Committee, and which City Department bears the staffing responsibility or expense for Committee;
- G. Any other matters appropriate to the Committee’s work.

2.95.030 Scope of Work.

A. Each Ad Hoc Advisory Board, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the City Council to determine its effectiveness. This statement of purpose, as well as other information regarding duties and responsibilities, will be made available to all members when appointed.

B. The City Council may determine any specific guidelines or tasks to be referred to the Ad Hoc Advisory Board by motion or resolution.

C. Each Ad Hoc Advisory Board shall develop a scope of work within the jurisdiction and area of responsibility consistent with the City Council resolution forming the Committee.

2.95.040 Membership, Nomination, Confirmation and Residency

Requirements. The number of members and any specific qualifications of each Ad Hoc Advisory Committee member shall be set forth by resolution of the City Council. Unless otherwise specifically provided by applicable resolution or motion, or as may be required by state law, the following procedures and requirements shall apply to all members of each Ad Hoc Advisory Committee:

A. At the time each Ad Hoc Advisory Committee is formed, the Council shall decide, by super majority, whether the Committee members, at the time of nomination and continuing uninterrupted thereafter while serving on the Ad Hoc Committee, should be residents of and/or work in the City.

B. Each person to be appointed shall be nominated by the Mayor for a specific numbered position on each Ad Hoc Advisory Committee.

C. Each person shall be deemed appointed and shall commence service after

confirmation by the City Council or on the effective date of the previous member's resignation or on the expiration of the existing term for the position, as applicable.

D. Each conformation motion by the Council shall include ending date and term for the position to which the person is appointed and such information shall be entered into the Council minutes.

2.95.050 Officers – Identification and Election. Each Ad Hoc Advisory Committee shall elect from its membership a presiding officer who shall be referred to as the chairman, chairwoman or chairperson, as determined appropriate by the Committee. Such officer shall serve for one year, or until the Committee discontinues its operation, whichever is shorter. The Committee may elect other officers as it deems necessary and such officers shall be set forth in the rules of procedure adopted by the Committee.

2.95.060 Quorums, Transacting Business. A majority of the appointed members of the Committee shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition.

2.95.070 Terms of Office or Vacancies. Appointments to Ad Hoc Advisory Committees shall be provided for in the resolution establishing or providing for a Committee. Vacancies shall be filled by the City Council, upon nomination by the Mayor, for the unexpired term in the same manner as the original appointment. Membership vacancies other than through expiration of term shall be filled for the unexpired term. Any member may be removed by Council action at any time based upon Council decision that removal is in the best interests of the City.

2.95.080 Conflicts of Interest. Members of Ad Hoc Advisory Committees shall be subject to chapter 42.23 RCW, Code of Ethics for Municipal Officers. If any members of an Ad Hoc Advisory Committee conclude that they have a conflict of interest or an appearance of fairness problem with respect to a matter that is pending before the Committee, so that they cannot discharge their duties on the Committee, they shall disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter.

2.95.090 Liaisons and Representatives. A City Council representative may be available to each Ad Hoc Advisory Committee for the purpose of providing a constructive relationship between the City Council and the Advisory Committee without implying direction, review or oversight of the activities of the Advisory Committee.

2.95.100 Procedures, Records and Minutes. The Ad Hoc Advisory Committee shall be governed by Roberts Rules of Order as the same may be updated or amended. The Committee may adopt supplementary rules of procedure. The Committee shall provide for the taking of minutes and maintaining the records of all regular and special meetings.

2.95.110 Meetings. The Committee shall decide upon regular meeting dates and times as provided in the Council resolution establishing the Committee. All meetings of the entire body of the Committee and any subcommittee or task force of the Committee shall be

subject to all requirements of the Washington Open Public Meetings Act (chapter 42.30 RCW) and shall be open to the public. The meetings shall be held at a public place at a regularly scheduled time, or at a special meeting time following notice by the City Clerk, according to RCW 42.30.080. Notice of all meetings shall be provided to the City Clerk for publication on the City's website. Records of documents and evidence considered must be maintained by the Committee and are subject to the Public Records Act, chapter 42.56 RCW.

2.95.120 Communications to City Council.

A. Expressions of an Ad Hoc Advisory Committee's position, recommendation or request for any action shall be in the form of a resolution, motion or other written communication setting forth the reasons, facts, policies and/or findings of the Committee to support the communication, and shall be directed to the City Council and Mayor.

B. Communications from the Ad Hoc Advisory Committees shall be acknowledged by the Council.

C. Should any member of the Council determine that any such communication should be officially answered by the Council, the Mayor shall place that matter on the agenda under New Business for the current meeting or any subsequent meeting.

2.95.130 Compensation and Reimbursement of Expenses. Members of an Ad Hoc Advisory Committee shall serve without compensation. Members shall be reimbursed for travel expenses that are incidental to that service, as long as such expenses are authorized by the Mayor in advance by resolution or motion. Members must seek pre-authorization for any proposed expense or the expense will not be reimbursed.

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

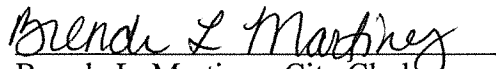
Section 3. Publication and Effective Date. This Ordinance shall be published by an approved summary consisting of the title. This ordinance shall be effective five days after publication, as provided by law.

PASSED by the Council and approved by the Mayor of the City of Black Diamond, this 20th day of August, 2015.

CITY OF BLACK DIAMOND


Mayor Carol Benson

ATTEST/AUTHENTICATED:


Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Carol A. Morris, City Attorney

FILED WITH THE CITY CLERK: 8/20/2015
PASSED BY THE CITY COUNCIL: 8/20/2015
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EFFECTIVE DATE: 8/30/15
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