

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Imhof		1/9		1/10/95	Council - discussion only
Division Head:				1/24/95	Council - intro
Dept. Head:				2/7/95	Council - action (no comm. assn.)
Prosecutor:	DG (see note)	2/1			
Purchasing/Budget:					
Executive:					

SUBJECT:

Ordinance amending Whatcom County Code Chapter 2.03 (Planning Commission appointment process)

ATTACHMENTS:

Ordinance

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO /xx/ YES / / Requested date:
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The ordinance removes appointment power for Planning Commission positions from the Executive and returns it to the Council. See the ordinance for a full explanation.

Council may postpone appointment of current year Planning Commission members (see AB94-604) until after consideration of this ordinance.

CLERK'S RECOMMENDED MOTION (for final action):

"I move that the Council adopt the ordinance."

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

2/14/95: Adopted

SPONSORED BY: Imhof

AB95-031

PROPOSED BY: Imhof

INTRODUCTION DATE: 1/24/95

ORDINANCE NO. 95-006

AMENDING WHATCOM COUNTY CODE 2.03,
BOARDS AND COMMISSIONS

WHEREAS, Whatcom County Code 2.03 specifies the process to be followed when making appointments to boards, commissions and committees; and

WHEREAS, from 1979 to 1993 the Council had responsibility for making appointments to the Planning Commission; and

WHEREAS, the Planning Commission advises the Council on legislative matters; and

WHEREAS, the Council wishes to again make appointments to the Planning Commission directly; and

WHEREAS, to accomplish this, the Council needs merely to amend Whatcom County Code 2.03 as indicated in Exhibit A to this ordinance, which includes various other housekeeping amendments as well;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Whatcom County Code 2.03 is hereby amended as indicated in Exhibit A to this ordinance.

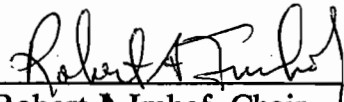
ADOPTED this 14 day of Feb., 1995.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:



Ramona Reeves, Council Clerk



Robert A Imhof, Chair

APPROVED as to form & content:

() Approved () Denied




Civil Deputy Prosecutor

See Clerk's Note on following page.

Shirley Van Zanten, Executive
Date: _____

***Clerk's Note:** The Executive declined to sign this ordinance on 2/24/95 because she cannot consider signing an ordinance until it has Prosecuting Attorney approval, according to an informal, handwritten note initialed SZ, which states, " I can not consider signing an Ord. until, or unless it has P.A. legal approval." The Prosecutor's Office will not sign the ordinance as "approved as to form." According to Whatcom County Home Rule Charter Section 2.30 states, in part: "If the Executive does not either sign or veto an ordinance with ten (10) Days, Saturdays, Sundays, and holidays excepted, after presentation of the ordinance by the Council, it shall become law without the Executive's signature." This ordinance was adopted on 2/14/95; therefore it takes effect 2/24/95:



Dana Brown-Davis, Council Clerk

Dated: 3/7/95 -

2 Whatcom County Code Chapter 2.03

3 BOARDS AND COMMISSIONS

4
5 2.03.010 Election.

6 A. Each year at its annual meeting, the county council shall elect its
7 representatives who shall serve until the next annual meeting to the various boards and
8 commissions on which it must appoint its own members to serve.

9 B. This annual election for one-year terms shall begin in January, 1981. (Res.
10 80-12 § 1, 2).

11
12 2.03.020 Terms.

13 The term of office for the board of equalization shall be three years pursuant to RCW
14 84.48.026. All other appointments to boards and commissions of non-council members
15 made by the council shall be for a term of four years, except for those appointments
16 made to fill an incomplete term in which case it shall be for the balance of that term.
17 (Ord. 93-003 Attachment E (part); Res. 83-19 (part); Res. 80-13 § 1 (part)).

18
19 2.03.025 Removal.

20 In circumstances where the council has the authority to remove from office a member of
21 a board, committee, or commission prior to the expiration of the board, committee or
22 commission member's term of office, the council shall make such removal only upon the
23 proper grounds specified in law. In the absence of such guidance in law, the council shall

1 not remove a member from office without having given the member an opportunity to be
2 heard by the council, if so requested. (Ord. 93-003 Attachment E (part); Res. 83-19
3 (part); Res. 80-13 § 1 (part)).

4
5 2.03.030 Limited terms.

6 No board, commission or committee member shall serve more than two consecutive full
7 terms. (Ord. 93-003 Attachment E (part); Res. 80-13 § 2).

8
9 2.03.040 Executive's terms.

10 Those positions to which the county council appoints the executive to serve shall be for
11 his/her ~~the executive's~~ term of office. (Ord. 93-003 Attachment E (part); Res. 80-13 § 3).

12
13 2.03.050 Effective date.

14 The term of office ~~limitations~~ shall apply to all appointments made by the county council
15 since May 1, 1979. (Ord. 93-003 Attachment E (part); Res. 80-13 § 4).

16
17 2.03.060 Appointment of non-council members to boards, commissions and
18 committees.

19 For appointment ~~by the council~~ of non-council members to those boards, commissions
20 and committees performing either an administrative or a legislative function, council
21 members shall make nominations and provide information about their nominees, in
22 writing, if possible, at a regularly scheduled council meeting. Nominations for

1 appointment to any position having a residency requirement as to councilmanic district
2 shall be made only by the council members from the district or the council member at
3 large. Voting on these nominations shall be at the next regularly scheduled council
4 meeting unless the council, by a two-thirds vote, requests otherwise. Such appointments
5 shall be made by majority roll call vote of the council. (Ord. 93-003 Attachment E (part);
6 Ord. 91-030 (part)).

7
8 2.03.065 Appointment of planning commission members.

9 ~~Council members will follow the procedure set forth in Whatcom County Code chapter~~
10 ~~2.03.060 when making nominations and appointments to the planning commission.~~

11 ~~Nominations for appointment to a vacant position on the planning commission shall be~~
12 ~~made only by the council members representing the district of the vacant position, or by~~
13 ~~the council member at large, during the course of a regularly scheduled council meeting.~~

14 ~~Council nominations will be forwarded, in writing, to the county executive. The county~~
15 ~~executive will then submit an appointment for confirmation by the full council as set~~
16 ~~forth in Whatcom County Code Section 2.03.070. (Ord. 93-003 Attachment E (part)).~~

17
18 2.03.070 Confirmation of appointments.

19 A. Council confirmation of executive appointments shall be handled in the
20 following manner: The executive shall present in writing to the council office no later
21 than seven days before the council meeting at which action is requested, the names of his
22 appointments, positions and terms to which they are to be appointed, information on the

1 appointees' qualifications or background, and any other information he ~~the executive~~
2 deems appropriate, except in the case of executive appointments to executive and
3 administrative offices, in which case, this information shall include a job description and
4 a resume. This information shall also be made available upon request to the public.

5 ~~B. For nominees to boards and commissions, council members will individually be~~
6 ~~responsible for meeting or contacting the individuals prior to the council's consideration~~
7 ~~of the nominee.~~

8 ~~C. For nominees to executive and administrative offices, the council chairperson~~
9 ~~may arrange for the council interview of the nominee prior to the regularly scheduled~~
10 ~~council meeting at which such appointment will be considered.~~

11 ~~D. The names of appointees by the executive, and the names of nominees by~~
12 ~~council members, together with the offices to which they are nominated, shall be~~
13 ~~published in the agenda for the council meeting at which action is to be taken in filling a~~
14 ~~position or confirming an appointment.~~

15 ~~EB.~~ The council shall confirm or reject appointments by the county executive
16 within 30 days of the date the names are submitted to it; failure to act within this time
17 period shall cause the appointees to be deemed confirmed. Confirmation or rejections
18 shall be by majority roll call vote. (Ord. 93-003 Attachment E (part); Ord. 91-030 (part)).

19
20 **2.03.075 Review of nominees and executive appointees.**

21 **A. Council members will individually be responsible for meeting or contacting**
22 **individuals nominated to serve on a board, commission, or committee, and individuals**

1 whose appointment by the executive is scheduled for confirmation by the council, prior
2 to the council's consideration of the nomination or request for confirmation.

3 B. The council chairperson may arrange for the council interview of the nominee
4 or the recommended executive appointee prior to the regularly scheduled council
5 meeting at which appointment or confirmation will be considered.

6 C. The names of recommended appointees by the executive, and the names of
7 nominees by council members, shall be published on the agenda for the council meeting
8 at which action is to be taken in filling a position or confirming an appointment.

9
10
11 2.03.080 Vacancies on citizen boards, committees and commissions.

12 A. The clerk of the council shall cause to be compiled and published annually a
13 listing of vacancies and anticipated vacancies on all citizen boards, committees and
14 commissions, within the appointive jurisdiction of both the council and the executive.

15 B. The listing shall state the title and term of office of each position, residency
16 requirements (if any), the appointing authority, and an address and telephone number
17 for obtaining further information or for making applications. The listing shall also
18 include a brief description of the duties of each position and information on when the
19 regular meetings of the body in question are held.

20 C. The listing shall be posted in conspicuous places in the Courthouse, provided
21 to all county council members, public libraries and city halls in the county, and be made
22 available to the public and news media at no charge.

1 D. Persons expressing an interest in applying for appointment to a
2 council-appointed position on a board, commission or committee shall be given an
3 application form which they must complete and file with the clerk, giving their name,
4 address, telephone number, occupation and relevant qualifications. The applications shall
5 be kept on file in the clerk's office.

6 E. Persons expressing an interest in applying for appointment to an
7 executive-appointed position on a board, commission or committee shall be given an
8 application form which they must complete and file with the executive's office, giving
9 their name, address, telephone number, occupation and relevant qualifications. The
10 applications shall be kept on file in the executive's office.

11 F. In fulfilling the obligations of this section, the clerk shall seek the cooperation
12 of the executive and may accomplish his/her obligations through joint action with the
13 executive's office. (Ord. 91-030 (part)).

14
15 2.03.090 Qualifications.

16 To qualify for appointment by the council and/or executive to fill any vacancy on a
17 board, committee or commission, a person shall be a qualified registered voter resident
18 of the district, agency, or group he or she is appointed to represents on a specific board,
19 committee or commission, meeting all of the qualifications of Section 4.20 of the
20 Whatcom County Charter. (Ord. 91-030 (part)).