

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 566

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING TITLE 2 OF THE BURIEN MUNICIPAL CODE RELATING TO THE MEMBERSHIP AND MEETINGS OF THE PLANNING COMMISSION, BUSINESS AND ECONOMIC DEVELOPMENT PARTNERSHIP, PARKS AND RECREATION ADVISORY BOARD, AND ARTS COMMISSION

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 2.45 of the Burien Municipal Code, Planning Commission, is hereby amended by amending BMC 2.45.020 and 2.45.030 and adding BMC 2.45.050 to read as follows:

2.45.020 Membership.

(1) Number of Members. The planning commission shall consist of seven voting members.

(2) Appointment. All members of the planning commission shall be appointed by the city council. The four positions filled in 2003 (Positions 1, 2, 3, and 4) shall be appointed for terms expiring March 31, 2006, or until their successors are duly appointed and confirmed. The three incumbent positions (Positions 5, 6, and 7) shall expire March 31, 2004, or until their successors are duly appointed and confirmed. Subsequent appointments for full terms shall begin as of April 1st and shall be for four-year terms, or until their successors are duly appointed and confirmed. There shall be a term limit of two consecutive full terms. After a two year absence, members may be reappointed. Members must reside within the city. The planning commission shall at all times include between five and seven voting members. All planning commission members shall be selected without respect to political affiliation and shall serve without compensation. The city council shall attempt, but shall not be obligated, to appoint planning commission members so that all geographic areas of the city are represented. Employees of the City of Burien are not eligible. [Ord. 566 § 1, 2012]

(3) Removal. Planning commission members may be removed by a majority vote of the entire city council for neglect of duty, conflict of interest, malfeasance in office or other just cause. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences, including absence for more than eight regular meetings in a calendar year. The city manager shall notify the city council of any such absences. The decision of the city council shall be final and there shall be no appeal therefrom. [Ord. 566 § 1, 2012]

(4) Vacancies. Vacancies occurring other than through the expiration of a term shall be filled for the unexpired term in the same manner as for appointments as provided in this chapter. [Ord. 388 § 2, 2003; Ord. 187 § 2, 1996; Ord. 113 § 2, 1995]

2.45.030 Meetings.

(1) The planning commission shall hold such regular and special meetings as may be necessary to complete its responsibilities. The planning commission shall elect from among its members a chair who shall preside at all meetings and a vice chair who shall preside in the absence of the chair. A majority of the planning commission members shall constitute a quorum for the transaction of business, and a majority vote of members present shall be necessary to carry any motion. Staff will prepare meeting agendas with advice from the chair.

(2) The planning commission shall adopt such rules and regulations as are necessary for the conduct of its business.

2.45.050 City staff support.

Administrative staff support shall be provided by the community development director or any other designee of the city manager. Said staff support shall be responsible for the agenda packets, written record of the proceedings of the planning commission, and such other support as necessary to enable the planning commission to conduct business and carry out its duties and responsibilities.

Section 2. Chapter 2.50 of the Burien Municipal Code, Business and Economic Development Partnership, is hereby amended by amending BMC 2.50.020 and 2.50.030 and adding BMC 2.50.050 to read as follows:

2.50.020 Membership.

(1) Number, Terms and Qualifications of Members. The partnership shall consist of 14 appointed members and one nonvoting ex officio member. Appointed members shall serve four-year terms running from April 1st through March 31st, or until a member's successor is duly appointed and confirmed. The appointments shall be staggered with every odd-numbered year, half of the members due for re-appointment or replacement.

The voting membership shall be selected with a goal of having predominantly business representation. To the extent available, representation should include applicants from the following areas serving Burien:

- (a) Business owners, managers and employees;
- (b) Commercial property owners;
- (c) Chambers of commerce and merchants' associations;
- (d) Burien city residents;

- (e) Employment and job training services;
- (f) Education;
- (g) Others with interest in Burien.

In addition, the city manager or the city manager's designee shall be a nonvoting ex officio member of the partnership.

(2) Appointment. Members of the partnership shall be appointed by the city council in a manner consistent with the council's appointment procedures. Members shall be selected without respect to political affiliation and shall serve without compensation. Employees of the City of Burien are not eligible.

(3) There shall be a term limit of two consecutive full terms. After a two year absence, members may be reappointed. [Ord. 566 § 1, 2012]

(4) Removal. Members may be removed by a majority vote of the entire city council. The decision of the city council shall be final and there shall be no appeal therefrom. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences.

(5) Vacancies. Vacancies occurring other than through the expiration of the term shall be filled for the unexpired term in the same manner as for appointments as provided in this chapter. [Ord. 258 § 2, 1999; Ord. 114 § 2, 1995]

2.50.030 Meetings.

(1) The partnership shall hold such regular and special meetings as may be necessary to complete its responsibilities. The partnership shall elect from among its members a chair who shall preside at all meetings and a vice chair who shall preside in the absence of the chair. A majority of the partnership members shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any motion. Staff will prepare meeting agendas with advice from the chair.

(2) The partnership shall adopt bylaws and such rules and regulations as are necessary for the conduct of its business, subject to approval by the city council. [Ord. 258 § 3, 1999; Ord. 114 § 3, 1995]

2.50.050 City staff support.

Administrative staff support shall be provided by the economic development manager or any other designee of the city manager. Said staff support shall be responsible for the agenda packets, written record of the proceedings of the partnership, and such other support as necessary to enable the partnership to conduct business and carry out its duties and responsibilities.

Section 3. Chapter 2.55 of the Burien Municipal Code, Parks and Recreation Advisory Board, is hereby amended by amending BMC 2.55.020, 2.55.040, and 2.55.050 to read as follows:

2.55.020 Creation – Eligibility.

(1) There is hereby created an advisory parks and recreation board, consisting of seven voting members, each appointed by a majority vote of the city council, from among the residents of the city. Appointments shall be made from citizens of recognized fitness for the position, based on a demonstrated interest in parks and recreation, dedication to representing the interests of the public, and to some degree, based on professional training/expertise in related fields. Employees of the City of Burien are not eligible to be appointed to the board.

(2) The Council may also appoint alternate (non-voting) members. The Board may from time to time create short-term ad-hoc committees that include non-members who are deemed important in performing the Board's duties. Tenure shall vary with the need as determined by the Board's voting members. Non-members and alternate members shall not have voting rights.

2.55.040 Terms of board members – Vacancies.

(1) Except as noted in subsection (2) of this section, board members shall be appointed to four-year terms running from April 1st through March 31st, or until a member's successor is duly appointed and confirmed; provided, that the term of the member's successor will be shortened by the length of the hold-over and will be considered a full term. Members of the board may be excused by majority vote of the city council. Vacancies shall be filled for the remaining unexpired portion of the term being filled. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences.

(2) During the initial organization of the Board, three of the members shall be appointed to two-year terms to stagger initial membership expiration.

(3) There shall be a term limit of two consecutive full terms. A member who has served two full terms may reapply to serve on the board after a period of two years has elapsed.

2.55.050 Officers – Meetings – Quorum – Records.

(1) Members of the Board shall meet and organize by electing from the members of the Board a Chair and Vice-Chair and such other officers as may be necessary. The Chair and Vice-Chair shall be elected for a one-year term. All Board members present are eligible to vote. In the event the Chair is unable to complete his or her term, the Vice-Chair will assume the position of the Chair until the expiration of the one-year term, and a new Vice-Chair shall be elected.

(2) The chair shall preside at all meetings of the board and in his or her absence, the vice-chair shall preside. Staff will prepare meeting agendas with advice from the chair.

(3) A majority of the Board shall constitute a quorum, and ~~four (4) affirmative votes shall be necessary to carry any proposition~~ a majority vote of those present shall be necessary to carry any motion.

(4) A meeting of the Board shall be held at least once a month.

Section 4. Chapter 2.60 of the Burien Municipal Code, Arts Commission, is hereby amended by amending BMC 2.60.020, 2.60.040, and 2.60.050 and adding BMC 2.60.070 to read as follows:

2.60.020 Creation – Eligibility.

(1) There is hereby created an advisory arts commission, consisting of nine voting members, each appointed by a majority vote of the city council, from among the residents of the city. Appointments shall emphasize citizens involved in nonprofit arts organizations. Employees of the City of Burien are not eligible to be appointed to the commission.

(2) The council may also appoint alternate (non-voting) members. The commission may from time to time create short-term ad-hoc committees that include non-members who are deemed important in performing the commission's duties. Tenure shall vary with the need as determined by the commission's voting members. Non-members and alternate members shall not have voting rights.

2.60.040 Terms of commission members – Vacancies.

(1) Except as noted in subsection (2) of this section, commission members shall be appointed to four-year terms running from April 1st through March 31st, or until a member's successor is duly appointed and confirmed; provided, that the term of the member's successor will be shortened by the length of the hold-over and will be considered a full term. Members of the commission may be excused by majority vote of the city council. Vacancies shall be filled for the remaining unexpired portion of the term being filled. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences.

(2) During the initial organization of the Commission, three of the members shall be appointed to two-year terms to stagger initial membership expiration.

(3) There shall be a term limit of two consecutive full terms. A member who has served two full terms may reapply to serve on the board after a period of two years has elapsed.

2.60.050 Officers – Meetings – Quorum – Records.

(1) Members of the Commission shall meet and organize by electing from the members of the Commission a Chair, Vice-Chair, Recording Secretary, and such other officers as may be necessary.

The Chair and Vice-Chair shall be elected for a one-year term. All Commission members present are eligible to vote. In the event the Chair is unable to complete his or her term, the Vice-Chair will assume the position of the Chair until the expiration of the one-year term, and a new Vice-Chair shall be elected.

(2) The chair shall preside at all meetings of the commission and in his or her absence, the vice-chair shall preside. The recording secretary shall keep and publish a summary of the minutes and provide those minutes to the city clerk. Staff will prepare meeting agendas with advice from the chair.

(3) A majority of the commission shall constitute a quorum, and ~~five affirmative votes shall be necessary to carry any proposition~~ a majority vote of those present shall be necessary to carry any motion.

(4) A meeting of the Commission shall be held at least once a month.

2.60.070 City staff support.

Administrative staff support shall be provided by the parks and recreation manager or any other designee of the city manager. Said staff support shall be responsible for the agenda packets, written record of the proceedings of the arts commission, and such other support as necessary to enable the arts commission to conduct business and carry out its duties and responsibilities.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or 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 6. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publications.

ADOPTED by the City Council at a regular meeting thereof on the 22nd day of October 2012.

CITY OF BURIEN
/s/ Brian Bennett, Mayor

ATTEST/AUTHENTICATED:
/s/ Monica Lusk, City Clerk

Approved as to form:
/s/ Craig D. Knutson, City Attorney

Filed with the City Clerk: October 22, 2012

Passed by the City Council: October 22, 2012
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