



**City of Gig Harbor
City Council Meeting Agenda Bill**

Meeting Date: July 25, 2022

SUBJECT: Second Reading and Adoption of Ordinance 1492 Related to Advisory Boards, Commissions, and Committees

SUBMITTED BY: Josh Stecker, City Clerk

DEPARTMENT: Administration

PHONE: 253-853-7613

SUGGESTED MOTION: Move to approve Ordinance 1492.

BACKGROUND INFORMATION: As discussed at the June 30 City Council study session, Council has directed staff to prepare an ordinance designating all the City's advisory boards, committees, and commissions as mayor-appointed with confirmation by the City Council. This change in designation will bring the City into compliance with RCW 35A.12.090.

Ordinance 1492 enacts the proposed changes and affects the appointment process for the Parks Commission, Arts Commission, Design Review Board, and Lodging Tax Advisory Committee. The Ordinance was considered by Council at first reading on July 11 with no changes directed.

The Mayor is developing internal procedures for the appointment process for these and other advisory boards, which will include opportunities for councilmember input prior to announcing appointments selections.

FISCAL CONSIDERATION: None.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: None.

ATTACHMENTS: Ordinance 1492

STRATEGIC PLAN PRIORITY: Foster a healthy City organization

ORDINANCE 1492

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REVISING CHAPTERS 2.21.020, 2.49.010, 2.50.010, AND 2.53.020 OF THE GIG HARBOR MUNICIPAL CODE RELATED TO ADVISORY BOARDS, COMMISSIONS AND COMMITTEES; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council reviewed the appointment process for the City's advisory boards at its June 29, 2022, study session; and

WHEREAS, the City Council acknowledges that the authority to appoint advisory board members as officer of the City resides with the Mayor in accordance with RCW 35A.12.090; and

WHEREAS, the City Council desires to confirm all advisory board appointments;

NOW THEREFORE, the City Council of the City of Gig Harbor, Washington, do ordain as follows:

Section 1. Chapter 2.21.020 – Revised. Chapter 2.21.020 of the Gig Harbor Municipal Code related to the Design Review Board is hereby revised to read as follows:

2.21.020 Terms, qualifications and appointment of members.

A. Members of the design review board shall be appointed by the mayor and confirmed the city council and shall serve terms of three years. The terms shall be staggered. All terms shall expire on September 30th. Members of the design review board shall continue to serve until their successors are appointed and qualified. The city council shall appoint a new DRB member to fill vacancies that might arise and such appointments shall be to the end of the vacating member's term.

B. Design review board members shall have qualifications, skills or demonstrated interest in urban design or historic preservation and must be able to demonstrate the ability to read and interpret site plans, elevation drawings, landscape plans, architectural details and other design details and specifications as may be depicted on plans. All DRB members shall reside in the greater Gig Harbor area within Pierce County (west of the Tacoma Narrows Bridge and east of the Purdy Bridge).

Members shall be selected by the council from at least four of the following categories:

1. A licensed architect with demonstrated experience in urban or historic building design (at least one member shall be selected from this category and no more

than one member shall be selected from this category; any person who meets the qualifications of this category may not be appointed under another category);

2. A city resident with interest and knowledge of urban design (no more than two members shall be selected from this category);
3. A member from the Gig Harbor planning commission (no more than one member shall be selected from this category);
4. A member with a professional background relating to urban design (e.g., a professional artist, a civil engineer, planner, building contractor or professional building designer) as determined by the city council;
5. A member with demonstrated interest and knowledge of landscaping, horticulture, arboriculture or forestry;
6. An individual with a background in identifying, evaluating and protecting historic resources, selected from among the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation or landscape architecture, or related disciplines. (At least two members should be selected from this category.)

Members in this category may participate in all applications reviewed by the DRB pursuant to Chapter 17.99 GHMC (Design Manual), but shall participate in applications received pursuant to Chapter 17.97 GHMC (Historic Preservation).

The DRB action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the required categorical positions, as long as there is a quorum, unless DRB action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the city and the State Historic Preservation Officer on behalf of the mayor, and the State Historic Preservation Officer on behalf of the state.

Members appointed prior to November 8, 2021, who do not fall into the category restrictions listed above shall be allowed to serve the remainder of their term.

Section 2. Chapter 2.49.010 – Revised. Chapter 2.49.010 of the Gig Harbor Municipal Code related to the Arts Commission is hereby revised to read as follows:

2.49.010 Commission established – Membership.

A. The Gig Harbor arts commission, consisting of seven members appointed by the mayor and confirmed by the vote of a majority of the members of the city council, is established. The term of office shall be three years. Commission members shall be selected for staggered terms. Three commissioners or their successors will serve a one-, two- or the full three-year term based on the position. All subsequent appointments shall be for three years, or for the duration of an unexpired term in the case of an appointment to a vacancy. All commission members' terms shall expire on March 31st and all successive terms shall commence on April 1st. Members may continue to serve past their term expiration if no replacement has been appointed.

B. Commission members shall be appointed upon the basis of demonstrated interest, knowledge and support of the arts. Members shall serve without salary or other compensation; provided, that members shall be reimbursed for

necessary expenses actually incurred with prior administrative approval. Commissioners may be selected from the Gig Harbor community at large.

Section 3. Chapter 2.50.010 – Revised. Chapter 2.50.010 of the Gig Harbor Municipal Code related to the Parks Commission is hereby revised to read as follows:

2.50.010 Parks commission established.

A. The city of Gig Harbor parks commission, consisting of seven members, appointed by the mayor and confirmed by ~~a vote of the majority of the city council~~, is hereby established.

B. The purpose of the parks commission is to advise the mayor and city council on park and recreation facilities, open space acquisition and development, maintenance and operation of parks and recreation public facilities, operation of parks and recreation programs, and other matters as directed by the city council.

C. Commission members shall initially be selected for staggered terms. Three commissioners or their successors will serve a one-, two- or three-year term based on the position, except that Position 7 shall initially serve a two-year term. All subsequent appointments shall be for three years, or for the duration of an unexpired term in the case of an appointment to a vacancy. All commission members' terms shall expire on March 31st and all successive terms shall commence on April 1st.

D. Commission Appointments.

Each member of the commission shall be a resident of the city of Gig Harbor or residing within the city's urban growth area (UGA) at the time of appointment and throughout her or his time in office. At no time shall there be more than two residents of the UGA serving on the commission. When reviewing appointments to the parks commission, residents of the city of Gig Harbor will be given preference.

Section 4. Chapter 2.53.020 – Revised. Chapter 2.53.020 of the Gig Harbor Municipal Code related to the Lodging Tax Advisory Committee is hereby revised to read as follows:

2.53.020 Composition, rules and terms of office.

The membership of the lodging tax advisory committee shall consist of nine voting members, appointed by the mayor and confirmed by the city council. One member shall be an elected official of the city who shall serve as chair, four members shall be representatives of businesses required to collect the tax, and four members shall be persons involved in activities authorized to be funded by revenue received from the tax. Preference will be given to city residents. Appointments of all members shall be for three years. Initial appointments to the committee shall be made with one-, two-, or three-year terms, so that no more than three members' terms expire in one year. All committee members' terms shall expire on September 30th. Members may continue to serve past their term expiration if no replacement has been appointed. Vacancies on the committee

shall be filled by the city council. No member shall serve more than three consecutive full terms of office. The city council shall review the membership of the committee annually.

Section 7. 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 8. Correction of Errors. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 9. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 25th day of July, 2022.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk