

ORDINANCE NO. 2014-25

AN ORDINANCE of the City Council of Bainbridge Island, Washington, clarifying the role, composition and duties of the Environmental Technical Advisory Committee and creating a new Chapter 2.36 of the Bainbridge Island Municipal Code.

WHEREAS, the Mayor appointed the Environmental Technical Advisory Committee (“ETAC”) as a ninety-day committee on May 9, 2001; and

WHEREAS, pursuant to Resolution No. 2001-61, the City Council authorized the establishment of the Environmental Technical Advisory Committee as a two-year committee with extensions of six months by the Mayor as necessary; and

WHEREAS, on November 9, 2009, the City Council passed Ordinance No. 2009-27 established ETAC as a permanent committee; and

WHEREAS, the City Council desires to clarify the role, composition and duties of ETAC, and to add ETAC to the Bainbridge Island Municipal Code, now therefore;

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Resolution Nos. 2001-61 and 2009-27 are hereby repealed.

Section 2. A new Chapter 2.36 of the Bainbridge Island Municipal Code is hereby adopted in its entirety to read as follows:

Chapter 2.36

ENVIRONMENTAL TECHNICAL ADVISORY COMMITTEE

Sections:

- 2.36.010 Created – Membership, appointment, term and compensation
- 2.36.020 Vacancies – Removal
- 2.36.030 Duties and responsibilities
- 2.36.040 Meetings, officers, records and quorum

2.36.010 Created – Membership, appointment, term and compensation

A. There is created an environmental technical advisory committee for the city, hereinafter called the committee. The committee shall consist of seven (7) members who shall be appointed by the mayor and confirmed by vote of the city council.

B. The committee shall consist of local experts who are qualified as an expert pursuant to WAC 365-195-905(4), as amended, in order to fulfill the purposes described in this section. The committee members should have expertise in one

or more of the following areas: wildlife management, fisheries management, geology, wetlands management, hydrology, forestry, and aquatic or terrestrial ecology.

B. Members shall not be employees or officers of the city or appointed to another city committee, board or commission, except for specialized committees or task forces of limited duration.

C. Members of the committee shall serve for a period of three years, commencing on July 1 and ending on June 30 three years later. Members shall be appointed to a position number, and the terms are to be staggered, with no more than three positions expiring in any given year. A member may be re-appointed, and shall hold office until his or her successor has qualified and been appointed. No member shall serve more than three consecutive terms unless the city council determines that special expertise is required, or there are no other qualified applicants.

D. Members shall serve without compensation.

E. Members shall sign a conflict of interest statement in accordance with the city's ethics program upon appointment and any reappointment.

F. The committee shall develop a pool of qualified experts in the various aspects of environmental science set forth above and shall consult with these experts on issues related to their field of expertise as appropriate and necessary. This pool of experts is to be used for consultation only and will not be compensated or considered members of the committee.

2.36.020 Vacancies - Removal

Members may be removed upon a majority vote of the city council. In the event of a vacancy, the mayor, subject to confirmation of the city council, shall make an appointment to fill the unexpired portion of the term of the vacated position in accordance with the city's appointment cycle. Unexcused absence by any member from three consecutive meetings shall constitute grounds for removal.

2.36.030 Duties and Responsibilities

The committee is established for the following purposes.

A. Serve as a technical advisory committee to the city council, city manager and planning department staff on environmental management issues; and

B. Provide technical recommendations on habitat management plans pursuant to BIMC 16.20.060 as needed to support staff in their review of these plans when technical issues and questions arise; and

C. Provide technical recommendations on environmental management standards for the City of Bainbridge Island Shoreline Management Master Program and Chapter 16.20 BIMC, Critical Areas; and

D. Conduct all items related to Chapter 16.20 BIMC, Critical Areas, consistent with the best available science sections (WAC 365-195-900 through 365-195-925) of the procedural criteria of the Growth Management Act; and

E. Conduct all items related to the shoreline management master program consistent with the scientific and technical standards section (WAC 173-26-201(2)(a) of the procedural criteria of the Shoreline Management Act; and

F. Report annually to the city council prior to the start of the budget process.

2.36.040 Meetings, officers, records and quorum.

A. The committee shall meet as necessary. Generally, meetings will occur at a consistent time on a monthly basis. Meetings shall be open to the public and held in accordance with the Open Public Meetings Act (Chapter 42.30 RCW).

B. The committee shall select from among its members a chairperson for a one-year term at the first regular meeting of each year.

C. For meetings consisting of a majority of the then serving members of the committee, the committee shall provide public notice of the meeting and shall keep a record of its meeting minutes. Minutes of each meeting, including a record of attendance, shall be prepared by the secretary and approved and signed at a subsequent meeting. The minutes do not need to reflect the actual discussion, but only the formal actions taken by the committee. The approved meeting minutes shall be posted on the city's web site.

D. The city shall provide city email accounts to members and related training on the use of email accounts, including personal computer privacy expectations while serving on the committee.

E. A majority of the members then serving on the committee shall constitute a quorum.

Section 3. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED by the City Council this 9th day of June, 2014.

APPROVED by the Mayor this 9th day of June, 2014.

By: Anne S. Blair
Anne S. Blair, Mayor

ATTEST/AUTHENTICATE:

By: Rosalind D. Lassoff
Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	May 29, 2014
PASSED BY THE CITY COUNCIL:	June 9, 2014
PUBLISHED:	June 13, 2014
EFFECTIVE DATE:	June 18, 2014
ORDINANCE NUMBER:	2014-25