

ORDINANCE NO. 4883

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO BOARDS AND COMMISSIONS, REPEALING CHAPTER 1.12 ENTITLED “ADVISORY COMMISSIONS – APPOINTMENT” AND ADOPTING A NEW CHAPTER 1.12 ENTITLED “COMMISSIONS, BOARDS, AND COMMITTEES”, REPEALING CHAPTERS 1.46, 1.56, AND 3.02 IN THEIR ENTIRETIES, AMENDING SECTIONS 1.14.040, 1.16.040, 1.28.040, 1.33.040, 1.48.040, 1.48.080, 1.48.120, 1.50.040, 1.60.120, 1.60.160, 1.66.020, 1.66.050, 1.66.070, 1.84.010, 1.84.020, 1.86.010, 1.86.020, 1.88.010, 1.88.020, 1.88.040, 2.28.200 AND 15.280.040, AND REPEALING SECTIONS 1.14.160, 1.16.060, 1.16.080, 1.16.100, 1.33.120, 1.33.160, 1.48.100, 1.48.120, 1.50.120, 1.50.160, 1.60.200, 1.60.240, 1.66.100, 1.84.030, 1.84.040, 1.86.030, 1.86.040, AND 1.88.030 OF THE ELLENSBURG CITY CODE.

WHEREAS, the Ellensburg City Council previously directed the creation of an Ad Hoc Subcommittee on Term Limits for Boards and Commissions (“Boards and Commissions Subcommittee”); and

WHEREAS, the Boards and Commissions Subcommittee met in May and June of 2021 to study the appointment, structure and representation on the City’s boards, committees and commissions; and

WHEREAS, the Boards and Commissions Subcommittee presented its report with recommendations to City Council at its July 19, 2021 meeting, after which the Council directed City staff to prepare the appropriate documents to implement the recommendations, as modified by Council during the meeting; and

WHEREAS, City staff reviewed a draft ordinance and draft revision of the City Council Rules of Procedures to implement the requested changes at its November 1, 2021 meeting, and provided further revisions for City staff to incorporate into the documents;

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington do hereby ordain as follows:

Section 1. Chapter 1.12, of the Ellensburg City Code, entitled “Advisory Commissions – Appointments,” is hereby repealed in its entirety and replaced with a new Chapter 1.12 entitled “Commissions, Boards and Committees” to read as follows:

Chapter 1.12

Commissions, Boards and Committees

Sections:

- 1.12.020 Commissions, boards, and committees.
- 1.12.040 Appointment; training.
- 1.12.060 Vacancies; removal.
- 1.12.080 Organization, quorum and meeting requirements.
- 1.12.100 Remote attendance.
- 1.12.120 Residency qualification.

1.12.020 Commissions, boards, and committees.

A. Commissions, Boards and Committees Created. There shall be commissions, boards and committees as defined in this chapter and such other commissions, boards and committees as have been or are hereafter established by ordinance or by general laws. Each commission, board or committee shall be so organized and shall have such powers as are conferred and such duties as are required by general laws and ordinances.

B. Applicability. The provisions of this chapter shall apply to all non-elected volunteer commissions, boards and committees appointed by the city council.

1.12.040 Appointment; training.

A. Unless a different appointment process is specified elsewhere in the Ellensburg City Code, the members of all citizen committees, commissions, and boards advisory to the city council shall be appointed by the city council.

B. Each new member of a commission, board and committee shall complete the open government training required by RCW 42.30.205, as currently enacted or hereafter amended, within 90 days of appointment. Commission, board and committee members are required to repeat this training every four years. This training shall be coordinated and monitored for compliance by the city manager's office.

1.12.060 Vacancies; removal.

A. Vacancies.

1. Vacancies occurring other than by expiration of a term shall be filled for any unexpired term in the same manner used for regular appointments. For purposes of determining the number of terms served by a member, service in excess of two years shall qualify as a full term.

2. If a member's residence status changes during his or her term such that the member no longer complies with the residency qualification, the member must immediately vacate his or her position on the board, commission or committee.

B. Removal.

1. A commission, board or committee may, by majority vote, recommend to the city council that an appointed member be removed upon such grounds as may be deemed appropriate by the board, commission or committee. Examples of grounds for removal include, but are not limited to inefficiency, neglect of duty, an unlawful act, or if the member has three or more unexcused absences at regular meetings in a calendar year. The council shall consider the recommendation and take action to approve or deny the recommendation.

2. The council may, on its own motion, remove any appointed member of a commission, board or committee upon such grounds as it may deem appropriate and declare the position vacant.

3. Upon removal of a member of any commission, board or committee, vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which original appointments were made.

1.12.080 Organization, quorum and meeting requirements.

A. Immediately after their appointment, and in January of each following year, members of the commissions, boards or committees shall meet and organize by electing from all of the members a chairperson and vice chairperson. It shall be the duty of the chairperson to preside at all meetings of the commission, board or committee. The vice chairperson shall perform the duties of the chairperson in the event of the absence of the chairperson or vacancy of the office.

B. A majority of the appointed members of each commission, board, or committee present in person or by simultaneous remote attendance shall constitute a quorum for the transaction of business. Any action taken by a majority of the members present in person or by simultaneous remote attendance, when those present constitute a quorum, at any meeting of a commission, board or committee shall be deemed to be the action of the commission, board or committee.

C. There shall be a fixed time and place of the meetings within the corporate city limits at least once each calendar month unless the chairperson deems there are not a sufficient number of agenda items required to transact that month. The meeting time and place shall be made known to the public and all meetings shall be open to the public.

D. The city manager shall designate a city staff person shall serve as secretary of the commission. It shall be the duty of staff to keep minutes of all meetings and of all proceedings of committees, boards and commissions.

E. Commissions, boards and committees may establish ad hoc subcommittees consisting of members of less than a quorum of the full commission, board or committee, and non-members, for any lawful purpose within its jurisdiction.

1.12.100 Remote attendance.

Members of commissions, boards and committees, and any member of the public, may attend any meeting either in person or remotely via videoconferencing or teleconferencing unless such attendance is otherwise restricted or prohibited by legislative or governor's proclamation/order, or other emergency order.

1.12.120 Residency qualification.

Except where a commission, board or committee specifically requires city residency as a condition of appointment, members of all other commissions, boards and committees shall maintain residency within the Kittitas County limits. "Residency," as used herein, means residing within the city or county limits, as applicable, both at the time of appointment and for at least 270 days within each calendar year for the duration of the member's term, but shall not include any period for which a member is absent due to military service.

Section 2. Section 1.14.040 of the Ellensburg City Code, as last amended by Section 4 of Ordinance 4804, is hereby amended to read as follows:

1.14.040 Creation – Membership

There is created a planning commission for the city of Ellensburg. The commission shall be known as "the Ellensburg planning commission" and shall consist of seven members who shall be appointed by the mayor, subject to confirmation by the city council, for six-year terms. Not less than five members shall be residents of the city of Ellensburg; ~~all nonresident members shall be residents of Kittitas County.~~ The director of public works and utilities and the director of planning and community development or their designees shall not be members of the planning commission, but shall serve as advisors and shall be permitted to participate in planning commission discussions and deliberations, but shall have no vote. ~~The city manager of the city of Ellensburg, or his designee, shall serve as secretary to the planning commission and shall be entitled to participate in discussions and deliberations of the planning commission, but shall have no vote.~~ [Ord. 4804 § 4, 2018; Ord. 4083, 1997; Ord. 3269 § 4(1), 1980.]

Section 3. Section 1.14.160 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.14.160 Quorum.~~

~~The presence of a majority of the membership shall constitute a quorum. A quorum shall be required to start a meeting. Decisions of the planning commission under the zoning and~~

~~subdivision ordinances or state law shall require a majority vote of the seven commission members.~~

Section 4. Section 1.16.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4047, is hereby amended to read as follows:

1.16.040 Creation – term –membership.

There is created a parks and recreation commission, consisting of seven members, who shall be appointed for terms of three years each by the mayor with the consent of the majority of the city council. A majority of the membership of the commission shall be residents of the city of Ellensburg. The commissioners shall not receive any compensation for their services. [Ord. 4047 § 1, 1996; Ord. 3736 § 1, 1991; Ord. 3269 § 4(2), 1980.]

Section 5. Section 1.16.060 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.16.060 Appointment—Terms~~

~~The mayor shall appoint two commissioners to terms expiring May 31, 1980; two to terms expiring May 31, 1981; and three to terms expiring May 31, 1982. At the expiration of each commissioner's term, the mayor shall appoint, subject to confirmation by the city council, one member for a three-year term. [Ord. 3269 § 4(3), 1980.]~~

Section 6. Section 1.16.080 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.16.080 Filling vacancies~~

~~Members of the parks and recreation commission may be removed at any time by a majority of the city council; and whenever a commissioner absents himself/herself for three consecutive regular meetings of the commission, or an aggregate of five regular and/or special meetings annually, unless by permission of the commission given at an open public meeting, the office shall automatically be vacated. Requests for excused absences shall be in writing. Vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which original appointments were made. [Ord. 3863 § 1, 1993; Ord. 3269 § 4(4), 1980.]~~

Section 7. Section 1.16.100 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.16.100 Election of officers—Meetings~~

~~Immediately after their appointment, members of the commission shall meet and organize by electing from the members of the commission a chairman and vice chairman. An election of such officers shall be conducted at the first meeting of each calendar year. The city manager, or his~~

~~designee, shall serve as secretary of the commission. The secretary shall be entitled to participate in the deliberations of the commission, but shall have no vote. It shall be the duty of the chairman to preside at all meetings of the commission and of the secretary to keep minutes of all meetings and of all proceedings of the commission. The vice chairman shall perform the duties of the chairman in the event of absence of the chairman or vacancy in the office. A majority of the commission shall constitute a quorum for the transaction of business, and affirmative votes by a majority shall be necessary to carry any proposition. A public meeting of the commission shall be held within the corporate limits of the city at least once every month. [Ord. 3269 § 4(5), 1980.]~~

Section 8. Section 1.28.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3610, is hereby amended to read as follows:

1.28.040 Civil service commission created

~~Chapters 41.08 and 41.12 RCW are~~ is hereby adopted by reference and incorporated herein as though fully set forth and the provisions in RCW 41.08.030 relating to a civil service commission for fire fighters and RCW 41.12.030, as currently enacted or hereafter amended, relating to a civil service commission for police are ~~is hereby specifically adopted and said commission shall operate for both fire and police purposes. The civil service commission heretofore existing shall constitute the new civil service commission created hereunder and hereafter be comprised of members in accordance with the sections of the state law heretofore cited. [Ord. 3610 § 1, 1987.]~~

Section 9. Section 1.33.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4710, is hereby amended to read as follows:

1.33.040 Created – Composition – Compensation – Terms

~~There is created a city arts commission consisting of seven members to be appointed by the mayor, subject to confirmation by the city council. The commissioners shall be appointed to four-year terms and shall not receive compensation for their service. [Ord. 4710 § 1, 2015; Ord. 3587 § 1, 1987; Ord. 3269 § 1, 1980.]~~

Section 10. Section 1.33.120 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.33.120 Removal—Vacancy filling~~

~~Members of the arts commission may be removed at any time by a majority of the city council; and whenever a commissioner absents himself/herself for three consecutive regular meetings of the commission, or an aggregate of five regular and/or special meetings annually, unless by permission of the commission given at an open public meeting, the office shall automatically be vacated. Requests for excused absence shall be in writing. Vacancies for the remainder of any~~

~~such unexpired terms shall be filled in the same manner in which original appointments were made. [Ord. 3863 § 2, 1993; Ord. 3269 § 1(2), 1980.]~~

Section 11. Section 1.33.160 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.33.160 Organization—Meetings—Quorum~~

~~Immediately after their appointment, members of the commission shall meet and organize by electing from the members of the commission a chairman and vice chairman. An election of such officers shall be conducted at the first meeting in June. The city manager, or his designee, shall serve as secretary of the commission. It shall be the duty of the chairman to preside at all meetings of the commission and of the secretary to keep minutes of all meetings and of all proceedings of the commission. The vice chairman shall perform the duties of the chairman in the event of absence of the chairman or vacancy in the office. A majority of the commission shall constitute a quorum for the transaction of business, and affirmative votes by a majority shall be necessary to carry any proposition. A public meeting of the commission shall be held within the corporate limits of the city at least once each month. [Ord. 3269 § 1(3), 1980.]~~

Section 12. Chapter 1.46 of the Ellensburg City Code, entitled “Economic Development Corporation,” is hereby repealed in its entirety:

~~1.46.040 Creation~~

~~For the purpose of facilitating economic development and employment opportunities within the city, there is created the city of Ellensburg economic development corporation (the “corporation”) to exist under the authority of and for the purposes authorized by Chapter 300, Laws of 1981, as the same may be amended from time to time (“Chapter 300”). Such corporation shall operate under Chapter 300 and under the provisions of the charter on file with the city clerk and by this reference incorporated herein, which the city council is authorized to and does issue to the corporation and by this chapter is approved. The city council reserves the right in its discretion and at any time to alter or change the charter, bylaws or activities of the corporation including dissolving the corporation if the contracts entered into by the corporation are not impaired. Any net earnings of the corporation beyond those necessary for the retirement of the indebtedness incurred by it shall not inure to the benefit of any person other than the city. Upon dissolution of the corporation, title to all property owned by the corporation shall vest in the city. [Ord. 3352 § 1, 1982.]~~

~~1.46.060 Board of directors~~

~~There is established a board of directors composed of seven members to govern the affairs of the corporation. The board of directors shall be the seven members of the Ellensburg city council who shall serve without compensation. The board shall be subject to the Open Public Meetings~~

~~Act of the state. A majority of the board shall constitute a quorum for the purpose of conducting meetings, and all actions taken by the board other than adjourning a meeting for lack of a quorum shall require an affirmative vote of a majority of members of the board. The board shall conduct the affairs of the corporation but may delegate administrative and managerial duties to employees of the corporation. The board shall have the authority to employ its own staff and independent professional consultants to carry out its duties, designate one or more depositories, provide for reimbursement for expenses, provide for board meetings, the principal office of the corporation and other matters necessary for the operation of the corporation. The powers and limitations of the corporation shall be set forth in Chapter 300 and other applicable laws. [Ord. 3352 § 2, 1982.]~~

1.46.080 Members appointed

~~The following persons are appointed as the original members of the board of directors of the corporation:~~

Name	Term Expires
Randolph Christopherson	12/31/83
Chuck Lenieka	12/31/83
Ken Peterson	12/31/83
Irene Rinehart	12/31/83
Janiece Cook	12/31/85
Thomas Lineham	12/31/85
Larry Nickel	12/31/85

~~The members of the board appointed by reason of the public office which they hold shall serve until they no longer occupy that public office. [Ord. 3844 § 1, 1993; Ord. 3352 § 3, 1982.]~~

1.46.100 Conflict of interest — Penalty

~~It shall be illegal for a director, officer, agent or employee of the corporation to have directly or indirectly any financial interest in any property to be included in or any contract for property, services or materials furnished or used in connection with any industrial facility financed through the corporation. Violation of any provision of this section is a gross misdemeanor under state law. [Ord. 3352 § 4, 1982.]~~

Section 13. Section 1.48.040 of the Ellensburg City Code, as last amended by Section 3 of Ordinance 3587, is hereby amended to read as follows:

1.48.040 Creation

~~There is hereby created a senior citizen advisory commission consisting of seven members to be appointed by the mayor subject to confirmation by the city council. The commissioners shall not receive compensation for their services. Membership reduction reflected in this section above shall be accomplished by attrition whereby a position shall be eliminated when vacated by~~

~~resignation or the current member does not request reappointment. Any reference to any other number other than in this section and inconsistent with this section is hereby repealed. [Ord. 3587 § 3, 1987; Ord. 3353 § 1, 1982.]~~

Section 14. Section 1.48.080 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3971, is hereby amended to read as follows:

1.48.080 Appointment – Terms

~~The mayor shall appoint three commissioners to terms expiring May 31, 1985, three to terms expiring May 31, 1986, and three to terms expiring May 31, 1987. At the expiration of each commissioner's term, the mayor shall appoint, subject to confirmation by the city council, one member~~ Appointment of commissioners shall each be for a two-year term. Members appointed to the commission shall be at least 50 years of age and include a broad representation of agencies or organizations whose primary interest is senior citizens. Upon recommendation of the commission, the city council may create and appoint an honorary position or positions on the commission, ~~to be appointed by the mayor.~~ Any person appointed to an honorary position shall serve without term or vote and shall not be included for purposes of determining a quorum. [Ord. 3971 § 1, 1995; Ord. 3828 § 1, 1992; Ord. 3353 § 3, 1982.]

Section 15. Section 1.48.100 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.48.100 Removal—Vacancy~~

~~Members of the senior citizen advisory commission may be removed at any time by a majority vote of the city council; and whenever a commissioner is absent for three consecutive regular meetings of the commission or an aggregate of five regular and/or special meetings annually, unless by permission of the commission given at an open public meeting, the office shall automatically be vacated. Requests for excused absences shall be in writing. Vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which original appointments were made. [Ord. 3863 § 5, 1993; Ord. 3353 § 4, 1982.]~~

Section 16. Section 1.48.120 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.48.120 Organization—Meetings—Quorum~~

~~Immediately after their appointment, members of the commission shall meet and organize by electing from the members of the commission a chairman, vice chairman and secretary. An election of such officers shall be conducted annually at the first meeting in June. It shall be the duty of the chairman to preside at all meetings of the commission and of the secretary to keep minutes of all meetings and of all proceedings of the commission. The vice chairman shall perform the duties of the chairman in the absence of the chairman or vacancy in the office. A~~

~~majority of the commission shall constitute a quorum for the transaction of business and affirmative votes by a majority of the commission shall be necessary to carry any proposition. Public meetings of the commission shall be held within the corporate limits of the city at least once each month. [Ord. 3353 § 5, 1982.]~~

Section 17. Section 1.50.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4664, is hereby amended to read as follows:

1.50.040 Creation – Composition – Compensation

~~There is created the utility advisory committee consisting of seven members to be appointed by the mayor, subject to confirmation by the city council. Two city council members and one representative from Central Washington University shall be members of the committee. Two members shall be customers of one or more of the city utility systems. Two additional members, who shall vote only on issues concerning the telecommunications utility as set forth in Chapter 9.110 ECC, will include one representative from KITTCOM and one representative of the customers of the city's telecommunications utility. Terms shall be for three years. The committee members shall not receive compensation for their service. [Ord. 4664 § 1, 2014; Ord. 4405, 2005; Ord. 4292, 2001.]~~

Section 18. Section 1.50.120 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.50.120 Removal and filling of vacancy~~

~~Members of the utility advisory committee may be removed at any time by a majority of the city council. Whenever a committee member absents himself/herself for three consecutive regular meetings of the committee, or an aggregate of five regular and/or special meetings annually, unless by permission of the committee given at an open public meeting, the office shall automatically be vacated. Requests for excused absence shall be made in writing to the chairman of the committee. Vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which the original appointments were made. [Ord. 4405, 2005; Ord. 4292, 2001.]~~

Section 19. Section 1.50.160 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.50.160 Organization—Meetings—Quorum~~

~~Immediately after their appointment, members of the committee shall meet and organize by electing from all the members of the committee a chairman and vice chairman. An election of such officers shall be conducted at the first meeting of each calendar year. The public works and utilities director, or his designee, shall serve as secretary of the committee. The secretary shall be entitled to participate in the deliberations of the committee, but shall have no vote. It shall be the~~

~~duty of the chairman to preside at all meetings of the committee and of the secretary to keep minutes of all meetings and of all proceedings of the committee. The vice chairman shall perform the duties of the chairman in the event of the absence of the chairman or vacancy in the office. Three committee members shall constitute a quorum for the transaction of business; except, in those instances when action is to be taken on the telecommunications utility, four members shall constitute a quorum for the conduct of official business. The affirmative votes by a majority of the quorum shall be necessary to carry any proposition. There shall be a fixed time and place of meetings within the corporate limits of the city of Ellensburg at least once each calendar month. The meeting time and place shall be made known to the public and all regular sessions of the committee shall be open to the public. [Ord. 4804 § 2, 2018; Ord. 4664 § 2, 2014; Ord. 4292, 2001.]~~

Section 20. Chapter 1.56 of the Ellensburg City Code, entitled “Business Incubator Executive Commission,” is hereby repealed in its entirety:

~~1.56.040 Creation—Composition—Compensation~~

~~There is created the business incubator executive commission consisting of five members, to be appointed by the mayor, subject to confirmation by the city council. Terms shall be for three years for all five appointees. The commissioners shall not receive compensation for their services. [Ord. 3617 § 1, 1988.]~~

~~1.56.080 Purpose~~

~~The business incubator executive commission is created for the purpose of carrying out the city of Ellensburg’s business assistance and incubator program to include the administration of the council approved policies and guidelines for the program and operating the city’s incubator facility. [Ord. 3617 § 1, 1988.]~~

~~1.56.120 Removal and filling of vacancy~~

~~Members of the business incubator executive commission may be removed at any time by a majority of the city council. Whenever a commissioner absents himself/herself for three consecutive regular meetings of the commission, or an aggregate of five regular and/or special meetings annually, unless by permission of the commission given at an open public meeting, the office shall automatically be vacated. Requests for excused absence shall be made in writing to the city council. Vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which the original appointments were made. [Ord. 3863 § 7, 1993; Ord. 3617 § 1, 1988.]~~

~~1.56.160 Organization—Meetings—Quorum~~

~~Immediately after their appointment, members of the commission shall meet and organize by electing from the members of the commission a chairman and vice chairman. An election of such~~

officers shall be conducted at the first meeting. The city manager, or his designee, shall serve as secretary of the commission. It shall be the duty of the chairman to preside at all meetings of the commission and of the secretary to keep minutes of all meetings and of all proceedings of the commission. The vice chairman shall perform the duties of the chairman in the event of the absence of the chairman or vacancy in the office. A majority of the commission shall constitute a quorum for the transaction of business, and affirmative votes by a majority shall be necessary to carry any proposition. A public meeting of the commission shall be held within the corporate limits of the city of Ellensburg at least once each eight weeks. [Ord. 3617 § 1, 1988.]

1.56.200 Powers and duties

The powers and duties of the commission shall be as follows:

- A. To recommend lease agreements with new tenants to the city council; decide on lease terminations, subject to the approved policies; and advise the facility manager regarding the administration of the individual lease stipulations.
- B. To consult with and recommend to the city council any additional policy statements, or amendments to established policy statements, as deemed necessary.
- C. To receive information, reports, and recommendations from the facility manager, members of the advisory board, and city staff in the course of running the incubator facilities and programs.
- D. To receive appeals to decisions as set forth in the adopted policies, consider the appeals and render decisions on any said appeals as required by the approved policy statements. [Ord. 3617 § 1, 1988.]

1.56.240 Budget recommendations

The commission shall submit project and/or program recommendations to the city council for the preliminary budget prior to June 30th of each year. Commission recommendations not incorporated in the preliminary budget shall be forwarded to the city council for consideration with the preliminary budget. [Ord. 3617 § 1, 1988.]

1.56.280 Communications to city council

The commission shall forward communications to the city council through separate memoranda, including all rationale, which shall be included as council agenda items. [Ord. 3617 § 1, 1988.]

1.56.320 Project review

The provisions of this chapter shall be reviewed by the city council of the city of Ellensburg after three years from the date of its enactment for the purpose of determining the progress and success of the Ellensburg business incubator project and to allow for consideration of alternative

~~management structures for the continuation of the Ellensburg business incubator project. [Ord. 3617 § 1, 1988.]~~

Section 21. Section 1.60.120 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4569, is hereby amended to read as follows:

1.60.120 Creation – Membership

~~There is created an environmental commission consisting of seven members who shall be appointed by the mayor and approved by a majority vote of the city council. The president of the Ellensburg High School environmental club shall be an ex officio member of the commission. Not less than four members shall be residents of the city of Ellensburg; all nonresident members shall be residents of Kittitas County, no more than two of whom non-city may reside outside of the city's urban growth area. Two members of the commission may be under the age of 18. Otherwise, the members of the commission shall be 18 years of age or older and shall be residents of the city of Ellensburg. The commissioners shall not receive compensation for their services. [Ord. 4569 § 1, 2010; Ord. 4509 § 1, 2008; Ord. 3980 § 1, 1995; Ord. 3723 § 1, 1991; Ord. 3713 § 1, 1990.]~~

Section 22. Section 1.60.160 of the Ellensburg City Code, as last amended by Section 2 of Ordinance 4711, is hereby amended to read as follows:

1.60.160 Appointment – Terms

~~The mayor shall appoint e~~Each member shall be appointed for a five-year term ~~subject to confirmation by the city council.~~ The president of the Ellensburg High School environmental club shall be an ex officio member of the Ellensburg environmental commission. The ex officio is not subject to appointment, confirmation, or a set term. [Ord. 4711 § 2, 2015; Ord. 3980 § 2, 1995; Ord. 3723 § 2, 1991; Ord. 3713 § 1, 1990.]

Section 23. Section 1.60.200 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.60.200 Filling vacancies~~

~~Environmental commission members may be removed at any time by a majority vote by the city council. Whenever a commissioner absents himself/herself for three consecutive regular meetings of the commission, or an aggregate of five regular and/or special meetings annually, unless by permission of the commission given at an open public meeting, the office shall automatically be vacated. Requests for excused absences shall be in writing. Vacancies for the remainder of any such unexpired term shall be by appointment by the mayor subject to confirmation by the city council. [Ord. 3863 § 9, 1993; Ord. 3713 § 1, 1990.]~~

Section 24. Section 1.60.240 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.60.240 Election of officers—Meetings~~

~~Immediately after their appointment, members of the commission shall meet and organize by electing from the membership a chairperson and vice chairperson. If still serving on the commission, the vice chairperson shall be the past chairperson. An election of such officers shall be conducted at the first meeting of each calendar year. The city manager, or his designee, shall serve as secretary of the commission. The secretary shall be entitled to participate in the deliberations of the commission, but shall have no vote. It shall be the duty of the chairperson to preside at all meetings of the commission and of the secretary to keep minutes of all meetings and of all proceedings of the commission. The vice chairperson shall perform the duties of the chairperson in the event of the absence of the chairperson or vacancy in the office. A majority of the commission shall constitute a quorum for the transaction of business. An affirmative vote by a majority of those present shall be necessary to carry any proposition. A public meeting of the commission shall be held within the corporate limits of the city at least once every month. [Ord. 4711 § 3, 2015; Ord. 4569 § 2, 2010; Ord. 4509 § 2, 2008; Ord. 4369, 2003; Ord. 3713 § 1, 1990.]~~

Section 25. Section 1.66.020 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3937, is hereby amended to read as follows:

1.66.020 Library board established.

A library board is established, to be known as the “Ellensburg library board,” to consist of not less than five members; provided, however, the city ~~manager council~~ may by ~~order~~ majority vote increase the board’s membership to seven members. [Ord. 3937 § 1, 1994.]

Section 26. Section 1.66.050 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3937, is hereby amended to read as follows:

1.66.050 Appointments.

~~All members of the library board shall be appointed by the city manager and shall not be subject to confirmation. Appointments shall be made without regard to age, race, sex or political affiliation. Members shall serve without compensation. Majority membership of the library board must be residents of the city of Ellensburg. No person shall be appointed to the library board for more than two consecutive terms.~~

~~The first appointments to the library board created by this chapter shall be of those individuals who were members of the library board in existence at the time the ordinance codified in this chapter is adopted. [Ord. 3937 § 1, 1994.]~~

Section 27. Section 1.66.070 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 3937, is hereby amended to read as follows:

1.66.070 Terms of office.

A member of the library board shall be appointed for a five-year term, unless the appointment is to fill an unexpired term. ~~No member may serve longer than the term or unexpired term to which he or she has been appointed, unless that person is reappointed by the city manager.~~

~~The members of the library board who obtained membership by reason of their membership on the prior board shall have a term of office coinciding with their term on that predecessor board. [Ord. 3937 § 1, 1994.]~~

Section 28. Section 1.66.100 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.66.100 Vacancies~~

~~A vacancy shall occur upon the resignation, death, or removal of a board member. A vacancy shall also occur whenever a board member absents himself or herself for three consecutive regular meetings of the board or for an aggregate of five regular and/or special meetings in a single year, unless the absences are excused by action of the remaining board members. [Ord. 3937 § 1, 1994.]~~

Section 29. Section 1.84.010 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4806, is hereby amended to read as follows:

1.84.010 Creation and purpose

There is created a public transit advisory committee consisting of seven members ~~who shall be appointed by the mayor and approved by a majority vote of the city council.~~ The purpose of the public transit advisory committee is to oversee public transit services in the city, including the quality of services, providing direction for public information and education, developing and making recommendations on system improvements and funding, and reporting to council on those and other elements as directed. [Ord. 4806 § 1, 2018; Ord. 4731 § 1, 2016.]

Section 30. Section 1.84.020 of the Ellensburg City Code, as last amended by Section 2 of Ordinance 4806, is hereby amended to read as follows:

~~1.84.020 Appointment— Terms – Composition~~

Members of the public transit advisory committee shall not receive compensation for their service. ~~The mayor shall appoint e~~Each member shall be appointed for a three-year term subject to confirmation by the city council, and member representation is as follows:

- A. One city council member.
- B. A representative from Central Washington University who shall represent the general interests of CWU and be designated by CWU administration.
- C. A representative of the Associated Students of Central Washington University (ASCWU) student government to serve a minimum of one year, whose term shall correspond to the terms of office of students elected to serve on the ASCWU student government.
- D. Four community members. ~~Community members 1 and 2 shall serve terms expiring December 31, 2018. Community member 3 shall serve a term expiring December 31, 2019. Community member 4 shall serve a term expiring December 31, 2020. Thereafter, all terms under this subsection shall be three years. [Ord. 4806 § 2, 2018; Ord. 4731 § 1, 2016.]~~

Section 31. Section 1.84.030 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.84.030 Removal—Vacancy~~

~~Members of the public transit advisory committee may be removed at any time by a majority of the city council. Whenever a committee member absents himself/herself for three consecutive regular meetings of the committee, or an aggregate of five regular and/or special meetings annually, unless by permission of the committee given at an open public meeting, the office shall automatically be vacated. Requests for an excused absence shall be made in writing to the chairperson of the committee. Vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which the original appointments were made. [Ord. 4731 § 1, 2016.]~~

Section 32. Section 1.84.040 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.84.040 Organization—Meetings—Quorum.~~

~~The city council member appointed to the committee shall serve as chairperson. Immediately after their appointment, members of the committee shall meet and organize by electing from all the members of the committee a vice chairperson. An election of such officer shall be conducted at the first meeting of each calendar year. The public works and utilities director, or his/her designee, shall serve as secretary of the committee. The secretary shall be entitled to participate in the deliberations of the committee, but shall have no vote. It shall be the duty of the chairperson to preside at all meetings of the committee and of the secretary to keep minutes of all meetings and of all proceedings of the committee. The vice chairperson shall perform the duties~~

of the chairperson in the event of the absence of the chairperson or vacancy in the office. Four committee members shall constitute a quorum for the transaction of business. The affirmative votes by a majority of the quorum shall be necessary to carry any proposition. There shall be a fixed time and place of meetings within the corporate limits of the city of Ellensburg at least once each calendar month. The meeting time and place shall be made known to the public and all regular meetings of the committee shall be open to the public. [Ord. 4806 § 3, 2018; Ord. 4804 § 4, 2018; Ord. 4731 § 1, 2016.]

Section 33. Section 1.86.010 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4799, is hereby amended to read as follows:

1.86.010 Creation and purpose

~~There is created an affordable housing commission consisting of seven members who shall be appointed by the mayor and approved by a majority vote of the council.~~

The purpose of the affordable housing commission is to support the development of safe and affordable housing and related services in the city, by assisting the city in determining gaps in affordable housing, and by making recommendations to city council for addressing the identified affordable housing needs of city residents. [Ord. 4799 § 1, 2018.]

Section 34. Section 1.86.020 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4799, is hereby amended to read as follows:

1.86.020 Appointment—Terms – Composition

A.—~~Members of the affordable housing commission shall serve without compensation and be appointed by the mayor for a three-year term subject to confirmation by the city council. At least five members must be residents of the city.~~

B.—~~Upon the initial formation of the commission, a city councilmember shall be appointed to the commission and shall serve a three-year term as chairperson. In addition, two commissioners will be appointed to a three-year term, two commissioners will be appointed to a two-year term, and two commissioners will be appointed for a single-year term. As the terms of commissioners expire, each replacement member of the commission will be appointed to a full three-year term with the result being for the lifetime of the commission there will be two new members or reappointed members every year. Committee members shall not serve more than three consecutive terms.~~ [Ord. 4799 § 1, 2018.]

Section 35. Section 1.86.030 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.86.030 Removal—Vacancy~~

~~Members of the affordable housing commission may be removed at any time by a majority of the city council. Whenever a commission member absents himself/herself for three consecutive regular meetings of the commission, or an aggregate of five regular and/or special meetings annually, unless by permission of the commission given at an open public meeting, the office shall automatically be vacated. Requests for an excused absence shall be made in writing to the chairperson of the commission. Vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which the original appointments were made. [Ord. 4799 § 1, 2018.]~~

Section 36. Section 1.86.040 of the Ellensburg City Code is hereby repealed in its entirety:

~~1.86.040 Organization—Meetings—Quorum.~~

~~A. Immediately after their appointment, members of the commission shall meet and organize by electing from all the members of the commission a vice chairperson. It shall be the duty of the chairperson to preside at all meetings of the commission. The vice chairperson shall perform the duties of the chairperson in the event of the absence of the chairperson or vacancy of the office. Four commission members shall constitute a quorum for the transaction of business. The affirmative votes by a quorum shall be necessary to carry any proposition.~~

~~B. There shall be a fixed time and place of the meetings within the corporate city limits at least once each calendar month. The meeting time and place shall be made known to the public and all meetings of the commission shall be open to the public.~~

~~C. A member of the city's community development staff shall serve as secretary of the commission. Staff shall be entitled to participate in the deliberations of the commission, but shall have no vote. It shall be the duty of staff to keep minutes of all meetings and of all proceedings of the commission. [Ord. 4799 § 1, 2018.]~~

Section 37. Section 1.88.010 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4871, is hereby amended to read as follows:

1.88.010 Creation and purpose

There is created a diversity, equity and inclusion (DEI) commission consisting of seven members who shall be appointed by the mayor and confirmed by a majority vote of the council, one of whom shall be a city councilmember serving as chairperson and is a nonvoting member except in the case of a tie.

The purpose of the DEI commission is to assist the Ellensburg city council in promoting diversity, equity and inclusion in the city of Ellensburg through action, education, and guidance. The commission will seek to support Ellensburg in celebrating a diverse, equitable, and inclusive community that welcomes and is supportive to all residents and visitors because doing so

enriches each individual's life and the community's wellbeing and vitality. [Ord. 4871 § 1, 2021.]

Section 38. Section 1.88.020 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4871, is hereby amended to read as follows:

1.88.020 Appointment—Term – Composition

A. ~~Members of the DEI commission shall serve without compensation and be appointed by the mayor for a three-year term subject to confirmation by the city council. At least five members must reside within the city limits of the city of Ellensburg, and all members must be residents of Kittitas County.~~

B. ~~Upon the initial formation of the commission, two commissioners will be appointed to a three-year term, two commissioners will be appointed to a two-year term, and two commissioners will be appointed to a single-year term. As the terms of commissioners expire, e~~Each replacement member of the commission will be appointed to a full three-year term with the result being for the lifetime of the commission there will be two new members or reappointed members every year. Committee members shall not serve more than three consecutive terms.

C. ~~A city councilmember shall be appointed to the commission as chairperson who is nonvoting except in the case of a tie.~~

DC. The city council shall ensure a mix of commission members who represent communities diverse in age, skin color, gender identity, sexual orientation, religion or disability, and who represent business, nonprofit, or education sectors, and who have skills or experience in analytics, translation, marketing, technology, human resources, or law. The Ellensburg city council will seek to attract members that are interested in diversity issues, can respect different viewpoints, are action-oriented, and have personal experience that will provide empathy and community understanding regarding issues of diversity, equity and inclusion. [Ord. 4871 § 1, 2021.]

Section 39. Section 1.88.030 of the Ellensburg City Code is hereby repealed in its entirety:

1.88.030 Removal—Vacancy

~~Members of the DEI commission may be removed at any time by a majority of the city council. Whenever a commission member is absent for three consecutive regular meetings of the commission, or an aggregate of five regular and/or special meetings annually, unless by permission of the commission given at an open public meeting, the office shall automatically be vacated. Requests for an excused absence shall be made in writing to the chairperson of the commission. Vacancies for the remainder of any such unexpired terms shall be filled in the same manner in which the original appointments were made. [Ord. 4871 § 1, 2021.]~~

Section 40. Section 1.88.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4871, is hereby amended as follows:

1.88.040 Organization—Meetings—Quorum Subcommittees.

~~A.— Immediately after their appointment, and in January of each following year, members of the commission shall meet and organize by electing from all of the members of the commission a vice chairperson. It shall be the duty of the chairperson to preside at all meetings of the commission. The vice chairperson shall perform the duties of the chairperson in the event of the absence of the chairperson or vacancy of the office.~~

~~B.— Four voting commission members shall constitute a quorum for the transaction of business. The affirmative votes by a quorum shall be necessary to carry any proposition.~~

~~C.— There shall be a fixed time and place of the meetings within the corporate city limits at least once each calendar month. The meeting time and place shall be made known to the public and all meetings of the commission shall be open to the public. Monthly meetings may be canceled by the chair due to lack of business, but the commission shall meet quarterly at minimum.~~

~~D.— A city staff person shall serve as secretary of the commission. It shall be the duty of staff to keep minutes of all meetings and of all proceedings of the commission.~~

~~E.— The commission may create subcommittees that include members of the public to address certain DEI topics or promote certain events. The subcommittee chair must be a member of the DEI commission, and must be appointed by a majority of the DEI commission membership.~~
[Ord. 4871 § 1, 2021.]

Section 41. Section 2.28.200 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4856, is hereby amended as follows:

2.28.200 Lodging tax advisory committee.

A. There is hereby created a lodging tax advisory committee, whose duties shall be to serve the functions prescribed in RCW 67.28.1817, review and comment on proposals for tourism promotion and tourism-related facilities, and engage in tourism planning and promotion activities.

B. The lodging tax advisory committee shall consist of seven members, ~~appointed by the city council.~~ One member shall be an elected official of the city, who shall serve as chair; three members shall be representatives of businesses required to collect the tax, one of whom shall be appointed to a term expiring December 31, 2020, the second member being appointed to a term expiring December 31, 2021, and the third member being appointed to a term expiring December 31, 2022; and three members shall be persons involved in activities authorized to be funded by revenue received from the tax, one of whom shall be appointed to a term expiring December 31,

2020, the second member being appointed to a term expiring December 31, 2021, and the third member being appointed to a term expiring December 31, 2022. After the expiration of the terms set forth herein, each member being reappointed or newly appointed shall serve a two-year term, or such portion thereof to complete the term of any member who resigns or is removed from the committee. The committee may include, but is not required to include, one nonvoting member who is an elected official of Kittitas County. The city council shall review the membership of the committee annually and make changes as appropriate. ~~Vacancies on the committee shall be filled by the city council.~~

C. The city council shall submit to the lodging tax advisory committee, for its review and comment, proposals on: (1) the imposition of a tax under Chapter 67.28 RCW; (2) any increase in the rate of such a tax; (3) repeal of an exemption from such a tax; or (4) a change in the use of the revenue received from such a tax. The city council shall submit such a proposal to the committee at least 45 days before taking final action on any such proposal. Comments by the committee should include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-range stability of the special fund created for the lodging tax revenues. The committee shall submit a written recommendation to the city council within 45 days of receiving the proposal from the city council. The report shall be advisory to the city council, and shall not be binding upon the council. Failure of the committee to submit its report to the city council in a timely fashion prior to passage of the proposal shall not prevent the city council from acting on the proposal.

D. The committee is authorized to review applications for lodging tax funding and to make recommendations to the city council regarding which tourism promotion and tourism-related facility project applications the city should fund. However, this grant of authority shall not be construed to require the city council to submit such proposals to the committee for initial review in addition to the review process set forth in subsection (C) of this section. If any expenditures will constitute an amendment to the city's annual budget, the request shall be submitted to the committee prior to final approval by the city council. If the proposed expenditure under review by the committee falls within the limits of the city manager's contracting authority set forth in ECC 2.03.080, and is otherwise consistent with the annual budget, the committee's recommendation may be made to the city manager, who may either authorize the expenditure without further confirmation by the city council or instead forward the committee's recommendation to the council for further action.

E. The committee is authorized to engage in tourism planning and promotion activities. The duties of the committee shall include advising and making recommendations to the city council regarding tourism matters, developing tourism promotion strategies and plans, and identifying potential future uses of lodging tax revenue for tourism promotion and tourism-related facility projects. [Ord. 4856 § 1, 2020; Ord. 4327, 2002; Ord. 4234, 2000; Ord. 4111, 1997.]

Section 42. Chapter 3.02 of the Ellensburg City Code, entitled “Building Code Board of Appeals,” is hereby repealed in its entirety:

~~3.02.120 Created—Membership.~~

~~There is established a board of appeals for the administration of the building code of the city of Ellensburg as provided in this chapter. The board shall be comprised of five members appointed by the mayor, subject to confirmation by the city council, and shall hold office for two years except that two of the first appointees shall be for one year terms. [Ord. 4682 § 1, 2014; Ord. 4643 § 5, 2013; Ord. 2385 § 1, 1958.]~~

~~3.02.130 Purpose—Function and jurisdiction.~~

~~A.—It is a function of the board to study and determine the suitability of alternate materials and types of construction as required in the building code of the city of Ellensburg; and~~

~~B.—The board shall hear all appeals from any notice or order issued, or any action taken, by the city building official, or his or her designee, under the provisions set forth in Chapters 3.01 (Building Codes), 3.03 (Fire Code Amendments), and 3.06 (Building Relocation) ECC, or any other code or ordinance wherein it is provided that an appeal to the building board of appeals shall be available; and~~

~~C.—The board shall have authority to make recommendations to the city council for such new legislation as will expedite or improve the administration of such codes or ordinances; and~~

~~D.—The board shall have no authority to consider, determine or interpret any matter arising under ECC Title 15 (Land Development Code), or the administrative provisions of these codes, nor to waive requirements of the building or fire codes. [Ord. 4682 § 2, 2014; Ord. 4643 § 5, 2013; Ord. 2385 § 2, 1958.]~~

~~3.02.140 Moving buildings—Bond.~~

~~Repealed by Ord. 4643. [Ord. 2399 § 3, 1959.]~~

~~3.02.150 Qualifications of members.~~

~~The voting members shall be appointed on the basis of qualifications, whether obtained through experience and/or training, to pass upon matters pertaining to building construction. [Ord. 4682 § 3, 2014.]~~

~~3.02.160 Board meetings.~~

~~A.—The board shall meet upon notice from the chairperson, within 30 days of the filing of an appeal or at stated periodic meetings.~~

~~B.— All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard. [Ord. 4682 § 4, 2014.]~~

~~3.02.170 Quorum.~~

~~The majority vote of a quorum shall constitute the official action of the board. The presence of three members, having the right to participate in the meeting, shall constitute a quorum with full authority to function as the board. [Ord. 4682 § 5, 2014.]~~

~~3.02.180 Appeal procedure.~~

~~A.— Any person aggrieved by any notice and order issued by, or any ruling made by, any administrative official of the city under the codes and ordinances designated in Chapters 3.01 and 3.03 ECC shall have the right to appeal to the board.~~

~~B.— An appeal shall be initiated by filing with the building official of the city a written appeal, which shall be postmarked or delivered to the building official within 30 days of the date of the notice and order or other action appealed, on a form to be provided by the city. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply or an equally good or better form of construction is proposed.~~

~~C.— Upon the filing of a written appeal, the building official shall promptly notify the board of such filing and transmit to the board a true copy of the written appeal.~~

~~D.— The board shall conduct hearings of all timely appeals, determined to be within the board's authority, at a date and time certain after having given the aggrieved party in interest not less than 10 days' notice thereof. At said hearing the board shall receive evidence as may be presented by any department of the city of Ellensburg and by the aggrieved party in interest. Failure of aggrieved party or his representative to appear at the hearing properly noticed may be cause for dismissal of the appeal.~~

~~E.— The board shall render its interpretation of the code, or its decision, as it pertains to the question before it, and make its decision within 60 days from the date of the completion of the hearing. Such decision shall include findings of facts based on the evidence presented at the hearing.~~

~~F.— Appeals of the board of building appeals' interpretations, decisions, penalties, and/or orders pertaining to appeals filed relative to the codes and laws assigned to the authority of the board shall be made to the superior court within 30 calendar days from the date of receipt of the interpretation, decision, penalty, and/or order in conformance with RCW 35.80.030(2). [Ord. 4682 § 6, 2014.]~~

~~3.02.190 Failure to appeal—Scope of hearing—Stay of order.~~

~~A.—Failure of any person to file in accordance with the provisions of this chapter shall constitute a waiver of his/her right to an administrative hearing and adjudication of the notice and order, or other ruling, or to any portion thereof.~~

~~B.—Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.~~

~~C.—Except for vacation orders and stop work orders, enforcement of any notice and order, or other ruling of the building official, issued under a code or ordinance from which appeal to the board is available, shall be stayed during the pendency of an appeal therefrom which is properly and timely filed. [Ord. 4682 § 7, 2014.]~~

~~3.02.200 General provisions and rules.~~

~~A.—Procedures before the board shall be governed by reasonable rules or regulations established by the board.~~

~~B.—The report of the board may also be in the nature of a recommendation to the appellant. [Ord. 4682 § 8, 2014.]~~

~~3.02.210 Enforcement of orders.~~

~~Orders of the board may be enforced, work performed and costs recovered as provided by whatever means are available at law or by city ordinance. [Ord. 4682 § 9, 2014.]~~

~~3.02.220 Decisions of the board—Final.~~

~~Any order of the building code board of appeals shall be final and conclusive unless, within 21 days from the date of the order, the original applicant or an adverse party makes application to the superior court of the state for Kittitas County. [Ord. 4682 § 10, 2014.]~~

Section 43. Section 15.280.040 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4656, is hereby amended to read as follows:

15.280.040 Members, qualifications and terms

A. The Ellensburg landmarks and design commission shall consist of seven members appointed by a majority of the Ellensburg city council. A majority of members so appointed who shall be residents of the city of Ellensburg.

B. All members of the commission shall have demonstrated an active interest in historic preservation and design review.

C. The commission shall include at least two owners of property from within the downtown and First Railroad Addition historic districts, as defined in ECC 15.300.060(B) and (C) or a property individually listed on the Ellensburg landmarks register. One member shall be a member of the Ellensburg Downtown Association (EDA) for a term of four years. One member shall be a general at-large position. The commission shall include at least three professionals (active or retired) who work or worked among the related fields of history, architecture, construction, landscape design, historic preservation, planning, anthropology, archaeology, cultural geography, American studies, land use law, or real estate.

D. A commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the commission action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the Ellensburg city council and the State Historic Preservation Officer.

E. Appointment of new members to the commission shall be for a period of four years. ~~Vacancies shall be filled by the Ellensburg city council for any unexpired term in the same manner as the original appointment.~~ [Ord. 4656 § 1 (Exh. O2), 2013.]

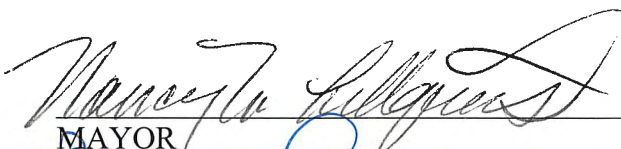
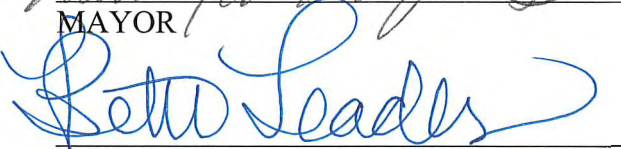
Section 44. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 45. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 46. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 3rd day of January, 2022.

ATTEST:


MAYOR

CITY CLERK

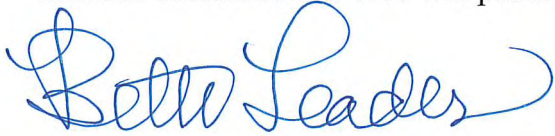
Approved as to form:



CITY ATTORNEY

Publish: 1-6-2022

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4883 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4883 was published as required by law.



BETH LEADER