

## ORDINANCE NO. 2010-27

**AN ORDINANCE** of the City of Bainbridge Island, Washington, making changes to the membership of the Utility Advisory Committee, clarifying the functions of the committee and updating provisions of the Code related to the new council-city manager form of government by amending Chapter 2.33 of the Bainbridge Island Municipal Code.

**WHEREAS**, the City of Bainbridge Island is considering significant changes related to its utility functions; and

**WHEREAS**, the city seeks to encourage citizen participation in the process for establishing water, stormwater, and sanitary sewer utility policies; and

**WHEREAS**, the City Council wishes to provide a forum for citizen discussion of issues related to its water, stormwater, and sanitary sewer utilities, and to solicit advice from its citizens on utility-related issues; and

**WHEREAS**, the City Council desires to include more citizens on the Utility Advisory Committee and clarify the role of the Committee to assist with the issues under consideration; and

**WHEREAS**, sections of the Bainbridge Island Municipal Code need to be updated to reflect the council-city manager form of government; now therefore,

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

**SECTION 1.** Chapter 2.33 of the Bainbridge Island Municipal Code entitled "Utility Advisory Committee" shall be amended to read as follows:

**2.33.010 Utility Advisory Committee created - Membership, appointment, compensation and term**

- A. There is created a utility advisory committee for the city, hereinafter referred to as the committee. The committee shall consist of a minimum of seven and no more than nine voting members who shall be appointed by the mayor and confirmed by vote of the city council. The members shall not be officers or employees of the city and shall be residents of the city. Additionally, a at least one member of the city council shall serve as an ex-officio, non-voting member of the committee.
- B. The members of the committee shall serve without compensation and shall initially be appointed for staggered terms as follows: two of the original members shall be appointed and confirmed for one-year

terms, two of the original committee members shall be appointed and confirmed for two year terms, and three members shall be appointed for three year terms. The terms for all subsequent annually appointed members shall be three years.

- C. A member may be reappointed, and shall hold office until his or her successor has been appointed and has qualified. Members may be removed by the mayor upon consent of the city council.

#### **2.33.025 Vacancies – Removal**

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. Unexcused absence by any committee member from three consecutive meetings shall constitute grounds for removal, and ~~six~~ten absences by any committee member, excused or unexcused, occurring within a twelve-month period shall likewise be grounds for removal.

#### **2.33.030 Organization**

The mayor shall make the initial appointment of ~~appoint annually~~ one voting member of the committee to serve as chairperson for a one-year term. The committee shall make the initial appointment of a vice-chairperson. ~~In making an appointment of the chairperson, the mayor shall take into consideration recommendations made by committee.~~ The committee shall adopt such rules and regulations as are necessary to accomplish the duties prescribed in Bainbridge Island Municipal Code 2.33.040, and consistent with other provisions of this chapter. These rules and regulations shall be placed on file with the city clerk.

#### **2.33.040 Powers and Duties**

The committee shall act in an advisory capacity to the ~~mayor and~~ city council with respect to issues relevant to the operation and management policies of the city's water, sanitary sewer, and other utilities. The committee shall not supplant administrative advice on policy issues to the city council but shall be in addition to staff advice. The committee shall not interfere with the administrative staff functions involving day to day operation of the city utilities. In its advisory capacity, the committee shall:

- A. Consult with and make recommendations to the ~~mayor and~~ city council regarding such utility-related matters as the ~~city~~city council or the committee deems appropriate;
- B. Give advisory recommendations to the ~~mayor and~~ city council on matters relating to the city's ~~water and sanitary sewer~~ water, sanitary sewer, and stormwater utility policy, and operation;

- C. Consult with and make recommendations to the ~~mayor and city council~~ regarding utility rates, rate structures and other charges made to ~~water and sanitary sewer~~ water, sanitary sewer, and stormwater utility customers;
- D. Consult with and make recommendations to ~~the mayor and the city council~~ give advisory recommendations to the city council relative to the planning for, financing, operation and maintenance of ~~water and sanitary sewer~~ water, sanitary sewer, and stormwater utility capital facilities;
- E. Keep the ~~mayor and city council~~ regularly informed of activities of the committee in a timely manner, ~~which shall include but not be limited to the distribution of agendas at least one week in advance of all meetings and the distribution of minutes within two weeks following all meetings.~~

**2.33.060 Meetings, officers, records and quorum.**

The committee shall ~~elect its own~~ elect a chairperson and vice-chairperson. The committee shall hold regular meetings at least once during each quarter year. Meetings shall be open to the public. The committee shall ~~adopt rules for the transaction of business, and it shall keep a record of its meetings, resolutions, transactions, findings and determinations.~~ A majority of the voting members then serving on the committee ~~Four members of the committee~~ shall constitute a quorum for the transaction of business. ~~The committee shall forward a copy of all meeting minutes to the city council for the information of the council.~~

**2.33.070 Expenditures and Staff Assistance.**

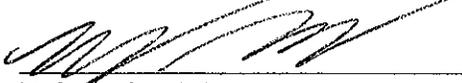
A. The expenditures of the committee, exclusive of donations, shall be limited to appropriations made by the city council.

B. The city staff, as assigned by the city manager, ~~mayor~~, shall provide assistance to the committee. Except for purposes of inquiry, the committee and its members shall deal with employees of the city only through the city manager ~~mayor~~ or administrative staff assigned by the city manager ~~mayor~~ for that purpose.

**SECTION 2.** This Ordinance shall take effect and be in force on and after five days from its approval and publication as required by law.

**PASSED** by the City Council this 25<sup>th</sup> day of August, 2010.

**APPROVED** by the Mayor this 25<sup>th</sup> day of August, 2010.

  
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Bob Scales, Mayor

Rosalind D. Lassoff  
Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	August 13, 2010
APPROVED BY THE CITY COUNCIL:	August 25, 2010
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