

CITY OF LYNNWOOD  
ORDINANCE NO. #2121

**AN ORDINANCE ADDING CHAPTER 2.24 LMC PROVIDING  
GENERAL ORGANIZATIONAL AND PROCEDURAL  
PROVISIONS APPLYING TO ALL CITY ADVISORY BODIES.**

WHEREAS, the City Council of the City of Lynnwood is specifically empowered to create advisory bodies, as the City Council deems necessary and advisable; and

WHEREAS, efficient and effective organization, together with clearly defined and appropriate roles and responsibilities for citizen boards and commissions, is in the tradition of good government and in the best interests of the City; and

WHEREAS, consolidation of organizational and procedural provisions, and requirements for boards and commissions within one Chapter of the Lynnwood Municipal Code is appropriate, efficient and in the best interests of the City of Lynnwood;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

**SECTION 1. LMC Chapter 2.24 Added.** Title 2 of the Lynnwood Municipal Code is amended by adding Chapter 2.24, to read as follows:

**CHAPTER 2.24**

**ADVISORY BODIES - GENERAL PROVISIONS SECTIONS:**

- 2.24.010 Definitions
- 2.24.020 Scope of Work
- 2.24.030 Membership, Nomination, Confirmation and Residency Requirements
- 2.24.040 Officers - Identification and Election
- 2.24.050 Quorums, Transacting Business and Resolutions
- 2.24.060 Vacancies
- 2.24.070 Multiple Appointments Prohibited
- 2.24.080 Conflicts of Interest
- 2.24.090 Liaisons and Representatives
- 2.24.100 Procedures, Records and Minutes
- 2.24.110 Meetings
- 2.24.120 Compensation and Reimbursement of Expenses
- 2.24.130 Lobbying Effort
- 2.24.140 Application

### **2.24.010 Definitions**

For the purposes of this Chapter, the following definitions shall apply:

An “advisory body” means any Board or Commission, and named Board or Commission in the Ordinance or Resolution creating the same, previously, or hereafter, created by the City Council to give advice on subjects and perform such other functions as prescribed by the City Council. Advisory Body does not mean task forces, informal committees, or working groups appointed by the Mayor or created by the City Council for short periods of time or for specific tasks.

“Resident” means a registered voter of the City of Lynnwood or a registered voter of an area that has successfully petitioned or voted to annex to the city where an annexation ordinance has been adopted by the City Council.

### **2.24.020 Scope of Work**

A. Each Advisory Body, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the City Council to determine its effectiveness. This statement of purpose, as well as other information regarding duties and responsibilities, will be made available to all members when appointed.

B. The City Council may determine any specific guidelines or tasks to be referred to the Advisory Body by motion, resolution or ordinance.

C. Each Advisory Body shall develop a scope of work, within the jurisdiction and area of responsibility of each Advisory Body that may, as the Advisory Body determines necessary and appropriate, include the following:

1. Annually review its portion(s) of the Comprehensive Plan or departmental multi-year plan(s), and suggest desired amendments thereto.
2. Annually review its portion of the City budget and suggest desired amendments, as relates to comprehensive plan, capital facilities plan, and policy matters.
3. Participate in the preparation of the Advisory Body’s annual report showing achievement towards fulfilling goals, policies, and objectives of the Advisory Body.
4. Present major policy advisories to the City Council.
5. Meet with City Council and other boards.
6. Examine and respond to referrals from the City Council, Mayor, or Staff, including public meetings or formal hearings.

**2.24.030 Membership, Nomination and Confirmation Process, and Residency Requirements**

The number of members and any specific qualifications of each Advisory Body shall be set forth by ordinance. The position number for each member shall be set forth by resolution, or motion.

Unless otherwise specifically provided by applicable ordinance, resolution, motion, or as may be required by state law, the following procedures and requirements shall apply to all members of each Advisory Body:

1. Each person at the time of nomination and continuing uninterrupted thereafter while serving on an Advisory Body, shall be a resident of the City of Lynnwood.
2. Each person to be appointed shall be nominated by the Mayor for a specific position number on each Advisory Body.
3. Each person shall be deemed appointed and commence service after confirmation by the City Council or on the effective date of the previous member's resignation.
4. Each confirmation motion by the Council shall include the position number, ending date and term for the position to which the person is appointed and such information shall be entered in the Council journal.

**2.24.040 Officers - Identification and Election**

Each Advisory Body shall elect from its membership a presiding officer who shall be referred to as chairman, chairwoman, or chairperson, as determined appropriate by the Advisory Body, and such officer shall serve for one year. The Advisory Body may elect other officers as it deems necessary and such offices shall be set forth in the rules of procedure adopted by the Advisory Body.

**2.24.050 Quorums, Transacting Business and Resolutions**

A majority of the appointed members of the Advisory Body shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition. Expressions of a Advisory Body's position, recommendation or request for any action shall be in the form of a resolution setting forth the reasons, facts, policies, and/or findings of the body supporting the resolution and shall be directed to the City Council and Mayor.

**2.24.060 Vacancies**

Membership vacancies other than through expiration of term shall be filled for the unexpired term.

**2.24.070 Multiple Appointment Prohibited**

No person shall be nominated or confirmed to a position on more than one Advisory Body at a time. This prohibition does not apply to multiple appointments created by specifying certain "representative" memberships, expressly created by the City Council, or as required by state law.

**2.24.080 Conflicts of Interest**

If any members of an Advisory Body conclude that they have a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Advisory Body so that they cannot discharge their duties on such an Advisory Body, they shall disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter.

**2.24.090 Liaisons and Representatives**

A City Council representative may be available to each Advisory Body for the purpose of providing a constructive relationship between the City Council and the Advisory Body without implying direction, review, or oversight of the activities of the Advisory Body.

**2.24.100 Procedures, Records and Minutes**

The Advisory Body shall adopt rules of procedure. The Advisory Body shall provide for the taking of minutes and maintaining the records of all regular and special meetings. Any Advisory Body may establish standing or ad hoc committees to assist in accomplishing its duties and responsibilities.

**2.24.110 Meetings**

Each Advisory Body shall hold regular meetings at such times and places as is deemed advisable but shall hold not less than six (6) meetings each calendar year. All meetings shall be open to the public and be held on not less than 72 hours notice to members.

**2.24.120 Compensation and Reimbursement of Expenses**

Members of Advisory Bodies shall serve without compensation. Members shall be reimbursed for authorized travel expenses incidental to that service.

**2.24.130 Lobbying Efforts**

Lobbying efforts by any Advisory Bodies on legislative, or political, matters should first be checked for consistency with existing City policy by contacting the Mayor's office. In the event a position is taken that differs from that of the City's policy, an Advisory Body cannot represent that position before another body, e.g., the State Legislature or the County Council. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that the member is not speaking as a representative of the City, or as a member of an Advisory Body.

**2.24.140 Application**

The provisions of this chapter govern advisory bodies, unless otherwise specifically provided by ordinance, motion or resolution of the City Council, or as may be required by state law.

**SECTION 2. LMC Chapter 2.25 Amended.** Title 2, Chapter 2.25 of the Lynnwood Municipal Code is amended to read as follows:

**CHAPTER 2.25**  
**LIBRARY BOARD**

**SECTIONS:**

- 2.25.010 Created
- 2.25.020 Duties
- 2.25.030 Membership Appointment—Term

**2.25.010 CREATED**

That there is hereby created and established a Library Board of the City of Lynnwood composed of five members as hereinafter provided (Ord. 1604 ss2, 1987).

**2.25.020 DUTIES**

That the Library Board is hereby declared to be an advisory board of the City of Lynnwood whose duties shall be to advise and recommend to the Mayor and City Council in regards to the general supervision of the library facilities and programs in accordance with the contract for library service with the Sno-Isle Regional Library. (Ord. 1604 ss3, 1987).

**2.25.030 MEMBERSHIP APPOINTMENT—TERM**

Members of the Board shall be appointed to a position for a term of three (3) years (or for fulfillment of an unexpired terms); appointees shall serve terms as follows:

Position No. 1:	Ending August 31, 1998
Position No. 2:	Ending August 31, 1998
Position No. 3:	Ending August 31, 1999
Position No. 4:	Ending August 31, 1999
Position No. 5:	Ending August 31, 2000

Any person may be removed from the Board by the Mayor, with approval of the City Council (Ord. 1604, ss4, 1987).

**Section 3. LMC Chapter 2.26 Amended.** Title 2, Chapter 2.26 of the Lynnwood Municipal Code is amended to read as follows:

**CHAPTER 2.26**  
**ARTS COMMISSION**

**SECTIONS:**

- 2.26.010 Created
- 2.26.020 Duties
- 2.26.030 Membership Appointment--Term

**2.26.010      CREATED**

That there is hereby created and established an Arts Commission of the City of Lynnwood composed of seven members as hereinafter provided. (Ord. 1605 ss1, 1987).

**2.26.020      DUTIES**

That the Arts Commission is hereby declared to be an advisory commission of the City of Lynnwood whose duties shall be to advise and recommend to the Mayor and City Council in regards to the display of art in public places within the City of Lynnwood, means of furthering appreciation of art within the City, and to perform such other duties as the Mayor may direct.

**2.26.030      MEMBERSHIP APPOINTMENT--TERM**

Members of the Commission shall be appointed to a position for a term of three (3) years (or for fulfillment of an unexpired term); appointees shall serve for terms as follows:

Position No. 1:	Ending December 31, 1997
Position No. 2:	Ending December 31, 1997
Position No. 3:	Ending December 31, 1998
Position No. 4:	Ending December 31, 1998
Position No. 5:	Ending December 31, 1998
Position No. 6:	Ending December 31, 1999
Position No. 7:	Ending December 31, 1999

Any person may be removed from the Commission by the Mayor, with approval of the City Council. (Ord. 1724 ss1, 1989: Ord. 1605 ss3, 1987).

**Section 4. LMC Chapter 2.28 Amended.** Title 2, Chapter 2.28 of the Lynnwood Municipal Code is amended to read as follows:

**CHAPTER 2.28**  
**PARK BOARD\***

**SECTIONS:**

- 2.28.010 Created
- 2.28.020 Duties
- 2.28.030 Membership Appointment - Term

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\* Statutory requirement—see RCW 35.24.020 and RCW 35.23.170. Authority to be granted by ordinance—see RCW 35.23.017.

**2.28.010 CREATED**

That there is hereby created and established a Parks and Recreation Board of the City of Lynnwood composed of seven members as hereinafter provided. (Ord. 2081 ss2, 1996: Repealed Ord. 502 ss1, 1969 and Ord. 80 ss1, 1961).

**2.28.020 DUTIES**

The Parks and Recreation Board is hereby declared to be an advisory board of the City of Lynnwood, whose duties shall be to advise and recommend to the Mayor, City Council, staff and other Boards and Commissions in the City of Lynnwood with regard to parks, open space and recreation services and programs for the City of Lynnwood and the City's urban growth. (Ord. 2081 ss2, 1996: Repealed Ord. 502 ss2, 1969 and Ord. 80 ss2, 1961).

**2.28.030 MEMBERSHIP APPOINTMENT -- TERM**

Members of the Board shall be appointed to a position for a term of three (3) years (or for fulfillment of an expired term); appointees shall serve terms as follows:

- Position No. 1: Ending May 31, 1997
- Position No. 2: Ending May 31, 1997
- Position No. 3: Ending May 31, 1998
- Position No. 4: Ending May 31, 1998
- Position No. 5: Ending May 31, 1998
- Position No. 6: Ending May 31, 1999
- Position No. 7: Ending May 31, 1999

Any person may be removed from the Board by the Mayor, with approval of the City Council. (Ord 2081 ss2, 1996: Repealed Ord. 502 ss3, 1969 and Ord. 80 ss3, 1961).

**Section 5. LMC Chapter 18.16 Renumbered to 2.29, Amended.** Title 18, Chapter 18.16 of the Lynnwood Municipal Code is renumbered to LMC Chapter 2.29 and amended to read as follows:

**CHAPTER 2.29**  
**PLANNING COMMISSION**

**SECTIONS:**

- 2.29.010 Created
- 2.29.020 Powers and Duties
- 2.29.030 Membership Appointment - Term
- 2.29.040 Submission of Ordinances for Recommendation
- 2.29.050 Number Required for Action
- 2.29.060 Promotional Duties

**2.29.010 CREATED**

There is hereby created and established a Planning Commission of the City of Lynnwood, composed of seven members as hereinafter provided.

**2.29.020 POWERS AND DUTIES**

The Planning Commission shall have all of the powers and perform each and all of the duties specified by RCW 35A.63, together with any other duties of authority which may hereafter be conferred upon them by the laws of the State of Washington. The performance of such duties and the exercise of such authority shall be subject to each and all the limitations expressed in such legislative enactment or enactments. (Ord. 60 ss2, 1960).

**2.29.030 MEMBERSHIP APPOINTMENT - TERM**

Members of the Commission shall be appointed to a position for a term of six (6) years (or for fulfillment of an unexpired term); the appointees shall serve for terms as follows:

Position No. 1:	Ending December 31, 1998
Position No. 2:	Ending December 31, 1998
Position No. 3:	Ending December 31, 1999
Position No. 4:	Ending December 31, 2000
Position No. 5:	Ending December 31, 2001
Position No. 6:	Ending December 31, 2001
Position No. 7:	Ending December 31, 2002

Members may be removed, after public hearing, by the Mayor, with the approval of the City Council for inefficiency, neglect of duty or malfeasance in office. The members shall be selected without respect to political affiliations. (Ord. 10 ss1, 1959; Ord. 60 ss2, 1960).

**2.29.040 SUBMISSION OF ORDINANCES FOR RECOMMENDATION**

The City Council may refer to the Planning Commission, for its recommendation and report, any ordinance, resolution or other proposal relating to any of the matters and subjects referred to in RCW 35A.63, and the Commission shall promptly report to the Council thereon, making such recommendations and giving such counsel as it may deem proper in the premises. (Ord. 10 ss3, 1959).

**2.29.050 NUMBER REQUIRED FOR ACTION**

No action which would result in a recommendation to the City Council shall be effective unless passed by not less than four members of the Planning Commission at a public meeting thereof. (Ord. 2036 ss9, 1995; Ord. 545 ss1, 1970; Ord. 10 ss5, 1959).

**2.29.060 PROMOTIONAL DUTIES**

The Commission shall obtain and promote an understanding of and an interest in comprehensive planning for the City. The Commission shall include in its studies and recommendations, from time to time, those areas outside the boundaries of the municipality which have, or may have, an environmental influence on the general welfare of the City. Extraterritorial planning shall be done to promote an adequate County planning program, to estimate future municipal service requirements, to



encourage orderly land use and development, and to cooperate in fact finding and reporting, relative to regional planning and local integration on behalf of the City.

The Commission shall be responsible for the conduct of neighborhood and community hearings regarding its studies, recommendations and proposals, and shall have the responsibility of promoting satisfactory public relations as a group and individually, upon which the City Council in public policy matters can rely. Such relations shall be of both a formal and informal nature, i.e., official hearings as well as informational fact finding discussions.

Plans, reports, administrative matters and recommendations of the Planning Commission shall be submitted by resolution or report directly to the City Council by such Commission.

A comprehensive, long range and annual work program of the Planning Commission is hereby authorized, which authorization shall include a review by the Commission of all major public improvements. (Ord. 60 ss3, 1960).

**SECTION 6. LMC 2.38 Amended, Repealed and Revised.** Title 2, Chapter 2.38 of the Lynnwood Municipal Code is amended to read as follows:

**CHAPTER 2.38**  
**DISABILITY BOARD**

**SECTIONS:**

- 2.38.010 Created
- 2.38.020 Duties
- 2.38.030 Composition - Term of Office

**2.38.010 CREATED**

There is hereby created and established a Disability Board of the City of Lynnwood composed of five (5) members as hereinafter provided.

**2.38.020 DUTIES**

The Disability Board shall perform all functions, exercise all powers and make such determinations as specified in Chapter 41.26 RCW of the State of Washington, as may be amended from time to time. (Ord. 882, ss2, 1976).

**2.38.030 COMPOSITION - TERM OF OFFICE**

- A. The Disability Board shall consist of the following members:
1. Two members of the City Council to be appointed by the Mayor.
  2. One active or retired firefighter to be elected by the firefighters employed by or retired from the City of Lynnwood.

3. One active or retired law enforcement officer to be elected by the law enforcement officers employed by or retired from the City of Lynnwood.
4. One member from the public at large who resides within the City of Lynnwood to be appointed by the other four members heretofore designated in this section.

Retired members who are subject to the jurisdiction of the Board have both the right to elect and the right to be elected under this section. Elections pursuant to this section shall be conducted and administered by the Secretary of the Disability Board.

- B. All members appointed or elected pursuant to this section shall serve a two year term with the exception of the police officer member who on the first term only serves a one year term. All terms shall end on December 31 of the given year, provided for elected members until a successor is elected. (Ord. 1651 ss3, 1988; Ord. 882 ss3, 1976).

**SECTION 7. LMC 2.34.090 - .100 Renumbered, and new sections added to LMC Chapter 2.39, to read as follows:**

**CHAPTER 2.39.010**  
**FIREMEN'S PENSION BOARD**

**SECTIONS:**

- 2.39.010 Created
- 2.39.020 Duties
- 2.39.030 Composition - Term of Office

**2.39.010 CREATED**

There is hereby created and established a Firemen's Pension Board of the City of Lynnwood composed of five (5) members as hereinafter provided.

**2.39.020 DUTIES**

The Firemen's Pension Board shall perform all functions, exercise all powers, and make such determinations as specified in Chapter 41.16 RCW and Chapter 41.18 RCW of the State of Washington, as may be amended from time to time.

**2.39.030 COMPOSITION - TERM OF OFFICE**

- A. The Firemen's Pension Board shall consist of the following members:

1. Ex officio, the Mayor, who shall be chair of the Board
2. Finance Director
3. Assistant Treasurer

4. Two regularly employed or retired firemen elected by secret ballot of the employed and retired firemen.

Retired members who are subject to the jurisdiction of the Board have both the right to elect and the right to be elected under this section. Elections pursuant to this section shall be conducted and administered by the Secretary of the Board.

- B. All members appointed or elected pursuant to this section shall serve a two year term with the exception of the police officer member who on the first term only serves a one year term. All terms shall end on December 31 of the given year, provided for elected members until a successor is elected.

**SECTION 7. Severability.** If any section, subsection, sentence, clause, phrase or word of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this Ordinance.

**SECTION 8. Effective Date.** This Ordinance shall take effect and be in full force five (5) days after its passage, approval and publication.

PASSED on the 13th day of January, 1997, and signed in authentication of its passage this 17th day of January, 1997.

  
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TINA ROBERTS, MAYOR

ATTEST:

  
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PAUL W. MENTER  
FINANCE DIRECTOR

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JOHN P. WATTS  
CITY ATTORNEY

PUBLISHED: \_\_\_\_\_