



LYNNWOOD
WASHINGTON

ORDINANCE NO. 2940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE RESIDENCY AND COMPOSITION OF ADVISORY BODY MEMBERS; AMENDING SECTION 2.24.030 AND CHAPTER 2.26 OF THE LYNNWOOD MUNICIPAL CODE; ADDING NEW SECTIONS 2.25.040, 2.30.040, AND 2.58.050 TO THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, in Title 2 of the Lynnwood Municipal Code, the City of Lynnwood has established a system of advisory bodies to give the City Council advice on certain subjects and to perform such duties within the scope of work established for each body; and

WHEREAS, the Arts Commission, Historical Commission, Library Board and the Neighborhoods and Demographic Diversity Advisory Commission have had a history of vacancies and difficulty in filling said vacancies with appropriate candidates; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Lynnwood and the aforementioned advisory bodies to revise the membership in order to effectively recruit appropriate candidates and fill vacancies, to enable the efficient and effective operation of such bodies; and

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

Section 2.24.030 of the Lynnwood Municipal Code, relating to Advisory Bodies – General Provisions, is hereby amended as follows,

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 the appointment of all members of each advisory body:

- A. 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; provided, that non-residents may be allowed on certain boards and commissions if such applicants meet specific criteria outlined in the specific ordinance for each advisory body. Non-residents must be registered voters.
- B. Each person wishing to serve on a city advisory board shall submit an application to the City
 - 1. Promptly, but not later than 10 days after receipt of an application to serve on an advisory body, the City shall send an acknowledgement letter to the applicant.
 - 2. Promptly, but not later than 90 days after receipt by the City of an application to serve on an advisory body; provided, that the mayor may extend the 90-day notice period when such extension is necessitated by circumstances that are documented in writing in the applicant's file. The Mayor or his/her designee shall notify the applicant of the decision regarding the nomination. If the applicant is nominated, then the notification will be forwarded at the same time to the council president for scheduling an interview at a City Council work session.
- C. The administration shall provide biannually to the council a report on all applications to serve on city advisory bodies received in the time period since the date of the most recent report; provided, that the initial report shall be received by the council no later than October 1, 2008, and shall list all applications received after January 1, 2006, and up to the date of the report. Each report shall contain at a minimum the name, address and contact information of all applicants, the date of receipt of their application by the City, the advisory body to which they applied, and the

date and disposition of each application.

- D. Each person to be appointed shall be nominated by the mayor for a specific position number on each advisory body.
- E. 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.
- F. 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. (Ord. 2737 § 1, 2008; Ord. 2121 § 1, 1997)

Section 2: Chapter 2.26 of the Lynnwood Municipal Code, relating to the Arts Commission, is hereby amended as follows:

2.26.010 Created. There is hereby created and established an arts commission of the City of Lynnwood composed of five members as hereinafter provided. Membership will increase to seven members on December 31, 2013, or upon confirmation of a sixth Commissioner. (Ord. 1605 § 2, 1987)

2.26.020 Duties. 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. (Ord. 1605 § 2, 1987)

2.26.030 Membership appointment – Term. Members of the commission shall be appointed to a position for a term of three years (or for fulfillment of an unexpired term); the appointees shall serve for terms as follows:

Position No. 1: Ending December 31, 2012 (This position on hold.
See LMC 2.26.010)

Position No. 2: Ending December 31, 2012 (This position on hold.
See LMC 2.26.010)

Position No. 3: Ending	December	31,	2013
Position No. 4: Ending	December	31,	2013
Position No. 5: Ending	December	31,	2013
Position No.6: Ending	December	31,	2014
Position No. 7: Ending	December	31,	2014

Any person may be removed from the commission by the mayor, with approval of the City Council. (Ord. 2121 § 3, 1997; Ord. 1724 § 1, 1989, Ord. 1605 § 3, 1987)

- 2.26.040 Residency Requirements. Arts Commission
- A. No more than two member(s) of the commission may be non-resident(s) of the City of Lynnwood and serve “at large” if the candidate meets the following criteria:
 - 1. Candidate has a Lynnwood mailing address, AND one of the following connections:
 - i. Volunteer history with the City of Lynnwood;
 - ii. Works for an organization that serves the City of Lynnwood;
 - iii. Has children that attend school in the City of Lynnwood; or
 - iv. Owns and operates a business in the City of Lynnwood.
 - B. There is a preference for City of Lynnwood residents over non-resident candidates.

Section 3: A new Section 2.25.040 is added to the Lynnwood Municipal Code as follows:

- 2.25.040 Residency Requirements. Library Board
- A. No more than two member(s) of the commission may be non-resident(s) of the City of Lynnwood and serve “at large” if the candidate meets the following criteria:
 - 1. Candidate has a Lynnwood mailing address, AND one of the following connections:
 - i. Volunteer history with the City of Lynnwood;
 - ii. Works for an organization that serves the City of Lynnwood;
 - iii. Has children that attend school in the City of Lynnwood; or
 - iv. Owns and operates a business in the City of Lynnwood.
 - B. There is a preference for City of Lynnwood residents over non-resident candidates.

Section 4: A new Section 2.30.040 is added to the Lynnwood Municipal Code as follows:

- 2.30.040 Residency Requirements Historical Commission
- A. No more than two member(s) of the commission may be non-resident(s) of the City of Lynnwood and serve “at large” if the candidate meets the following criteria:
 - 1. Candidate has a Lynnwood mailing address,

AND one of the following connections:

- i. Volunteer history with the City of Lynnwood;
- ii. Works for an organization that serves the City of Lynnwood;
- iii. Has children that attend school in the City of Lynnwood; or
- iv. Owns and operates a business in the City of Lynnwood.

B. There is a preference for City of Lynnwood residents over non-resident candidates.

Section 5: A new Section 2.58.050 is added to the Lynnwood Municipal Code as follows:

2.58.050 Residency Requirements. Neighborhoods and Demographic Diversity Advisory Commission.

A. No more than two member(s) of the commission may be non-resident(s) of the City of Lynnwood and serve "at large" if the candidate meets the following criteria:

- 1. Candidate has a Lynnwood mailing address, AND one of the following connections:
 - i. Volunteer history with the City of Lynnwood;
 - ii. Works or an organization that serves the City of Lynnwood
 - iii. Has children that attend school in the City of Lynnwood; or
 - iv. Owns and operates a business in the City of Lynnwood.

B. There is a preference for City of Lynnwood residents over non-resident candidates.

Section 6 Severability. If any section, sentence, cause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase or word of this ordinance.

Section 7 Effective Date: This ordinance or an approved summary thereof consisting of its title shall be published in the City's official newspaper of record and shall take effect and be in full force five days following its publication.

PASSED BY THE CITY COUNCIL this 26th day of March, 2012.

APPROVED:

*"Ordinance deemed valid without
Mayor's approval pursuant to RCW
35.A.12.130"*


Don Gough, Mayor

ATTEST/AUTHENTICATED:



Lorenzo Hines Jr., Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

PASSED BY THE CITY COUNCIL:	03/26/2012
PUBLISHED:	04/03/2012
EFFECTIVE DATE:	04/08/2012
ORDINANCE NUMBER:	2940




On the 26th day of March, 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No 2940. A summary of the content of said ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 2940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE RESIDENCY AND COMPOSITION OF ADVISORY BODY MEMBERS; AMENDING SECTION 2.24.030 AND CHAPTER 2.26 OF THE LYNNWOOD MUNICIPAL CODE; ADDING NEW SECTIONS 2.25.040, 2.30.040, AND 2.58.050 TO THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request.

DATED this 3rd day of April, 2012

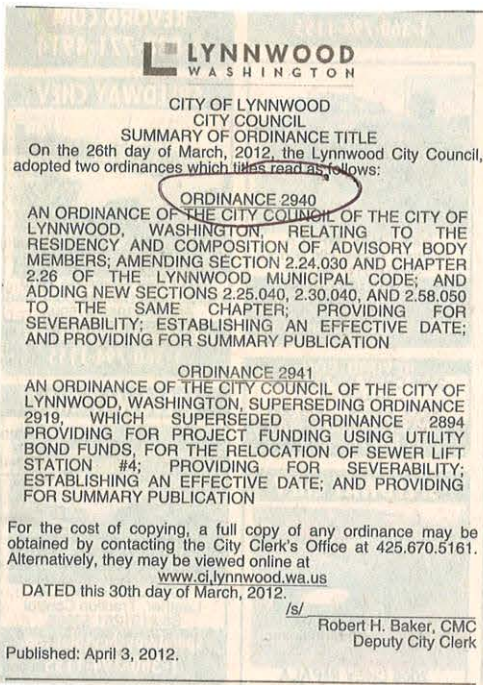


Lorenzo Hines, Finance Director

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance Title _____

Ordinance 2940 and _____

Ordinance 2941 _____

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

April 03, 2012 _____

and that said newspaper was regularly distributed to its subscribers during all of said period.

Karen E. Zomer

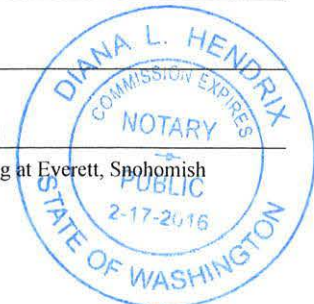
Principal Clerk

Subscribed and sworn to before me this 3rd

day of April, 2012

Diana Hendrix

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

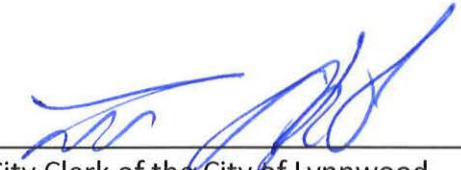


CERTIFICATE

I, the undersigned, Lorenzo Hines Jr., the duly appointed City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 2940 of the City of Lynnwood, Washington, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE RESIDENCY AND COMPOSITION OF ADVISORY BODY MEMBERS; AMENDING SECTION 2.24.030 AND CHAPTER 2.26 OF THE LYNNWOOD MUNICIPAL CODE; ADDING NEW SECTIONS 2.25.040, 2.30.040, AND 2.58.050 TO THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

That said ordinance was passed by the Council of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on 3rd day of April, 2012.



City Clerk of the City of Lynnwood,
Washington