

## ORDINANCE NO. 1232

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE PARKS COMMISSION; AMENDING CHAPTER 2.50 OF THE GIG HARBOR MUNICIPAL CODE TO CHANGE THE NAME OF THE PARKS COMMISSION AND TO REMOVE TERM LIMITS; AMENDING THE BYLAWS TO ADDRESS UNEXCUSED ABSENCES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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WHEREAS, the City Council of the City of Gig Harbor, Washington established a City of Gig Harbor Friends of the Parks Commission on May 23, 2005; and

WHEREAS, at their January 4, 2012 meeting, the Commissioners voted unanimously to change the name of the commission to "The City of Gig Harbor Parks Commission," to remove the current two-term limit, and to add language to the bylaws so that a member could be removed from the Commission after three consecutive, unexcused absences; and

WHEREAS, the recommendation for these changes was presented to City Council at their regular meeting of February 13, 2012; and

WHEREAS, the City Council held a first reading of this Ordinance on February 27, 2012; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AS FOLLOWS:

Section 1. Chapter 2.50 of the Gig Harbor Municipal Code is hereby amended as follows:

### **CHAPTER 2.50 PARKS COMMISSION**

Sections:

2.50.010 ~~Friends of the~~ Parks Commission Established.  
2.50.020 Organization  
2.50.030 Rules of Procedure.

...

#### **2.50.010 ~~Friends of the~~ Parks Commission Established.**

A. The City of Gig Harbor ~~Friends of the~~ Parks Commission, consisting of five members, appointed by a vote of the majority of the City Council, is hereby established.

B. The purpose of the ~~Friends of the~~ Parks Commission is to advise the Mayor and City Council on park and recreation facilities, open space acquisition and development, maintenance and operation of parks and recreation public facilities, operation of parks and recreation programs, and other matters as directed by the City Council.

C. Commission members shall initially be selected for staggered terms. Three commissioners or their successors will serve a one, two or three year term based on the position. All subsequent appointments shall be for three years, or for the duration of an unexpired term in the case of an appointment to a vacancy. All commission members' terms shall expire on March 31<sup>st</sup> and all successive terms shall commence on April 1<sup>st</sup>. ~~No member shall serve more than two consecutive full terms of office, unless the vacancy cannot be filled by a new applicant. (This appears in GHMC Section 2.49.010 for Arts Commission.)~~

D. Commission Appointments.

1. Appointments to the ~~Friends of the~~ Parks Commission will be by the City Council during a regularly scheduled meeting. Each member of the Commission shall be a resident of the City of Gig Harbor at the time of appointment and throughout her or his time in office.

2. The Council shall seek the advice and input of the Commission prior to making any Commission appointments.

E. Vacancies occurring other than through the expiration of terms shall be filled by the Council, in consultation with the ~~Friends of the~~ Parks Commission, within 90 days of the vacancy, for the unexpired term.

F. Members may be removed by the City Council for any reason.

**2.50.020 Organization.** The Commission shall elect its own Chairperson and Vice-Chairperson. The Vice-Chairperson shall preside in the absence of the chairperson. The Chairperson and Vice-Chairperson shall be voting members of the Commission. The Commission shall hold at least two regular meetings each year.

**2.50.030 Rules of Procedure.** The Commission shall utilize Roberts Rules of Order for the transaction of business, and shall keep a written record of its meetings, attendance, resolutions, transactions, findings and determinations, which shall be a public record consistent with all City Council authorized by-laws for the ~~Friends of the~~ Parks Commission. The rules shall provide that all commission meetings shall be open to the public and that notice of meetings shall comply with the City's code and the Open Public Meetings Act (Chapter 42.30 RCW), to the extent that the

proceedings are subject to the Act. The commission members must comply with Chapter 42.23 RCW on conflicts of interest.

. . .

Section 2. Bylaws - Amended. The Bylaws of the Parks Commission of the City of Gig Harbor are hereby amended as set forth on Exhibit A attached hereto and incorporated into this Ordinance by reference.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 12th day of March, 2012.

CITY OF GIG HARBOR

\_\_\_\_\_  
STEVEN K. EKBERG, MAYOR PRO TEM

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:  
Office of the City Attorney

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ANGELA S. BELBECK

FILED WITH THE CITY CLERK: 02/22/12  
PASSED BY THE CITY COUNCIL: 03/12/12  
PUBLISHED: 03/14/12  
EFFECTIVE DATE: 03/19/12  
ORDINANCE NO: 1232

## **EXHIBIT A**

### **BYLAWS OF THE FRIENDS OF THE PARKS COMMISSION OF THE CITY OF GIG HARBOR**

#### **ARTICLE I ORGANIZATION OF THE COMMISSION**

1. A new Chairperson and Vice Chairperson shall be selected by and from the members of the Commission at the beginning of each term, or as soon thereafter as feasible.
2. In the event of the resignation of the Chairperson, the Vice-Chairperson shall assume the office of Interim Chairperson until the Commission elects a new chairperson. In the event of the resignation of the Vice-Chairperson the Commission shall expeditiously appoint a new officer to fill the position. In the absence of the Chairperson, the Vice-Chairperson shall conduct the meeting.
3. The Chairperson shall preside at all Commission meetings and have the powers generally assigned such office in conducting the meetings. It shall be the Chairperson's duty to see that the transaction of Commission business is in accord with law and with these Bylaws.
4. The Director of Operations, or a designee, shall serve as Executive Secretary of the Commission. The Executive Secretary shall keep the minutes of all regular, recessed and special meetings of the Commission; such minutes shall be approved by the Commission. The Executive Secretary shall give notice of all regular and special meetings to ~~Friends of The~~ the Parks Commission members, shall prepare the agenda of regular and special meetings, and shall serve notice of all meetings and public hearings through the City Clerk or Assistant City Clerk. The City Clerk or Assistant City Clerk shall maintain a file of all studies, plans, reports, recommendations and official records of the Commission.
5. In the event a member has three consecutive, unexcused absences, the Chairperson of the Parks Commission shall refer the matter to the City Council to consider whether the member should be removed from the Parks Commission.

## **ARTICLE II**

### **MEETINGS**

1. Special meetings of the Commission may be called by the Chairperson and must be called upon written request of any three members of the Commission. Written notice of such a meeting and its purpose shall be given to all members not less than twenty-four hours in advance thereof, and the same notice shall be posted in City and at the city's regular posting locations and on the city website.
2. Any regular meeting may be recessed to a definite time and place by a majority vote of the Parks and Recreation Commission members present at the meeting.
3. To provide a fair and efficient forum for the conduct of business at ~~Friends of the Parks~~ Commission meetings, meeting will be conducted in accordance with Robert's Rules of Order, and shall include the following rules:
  - a. No person shall address the Commission without first obtaining recognition from the Chairperson.
  - b. The order of business shall be as prescribed on the agenda. Changes to the agenda order shall be approved by majority vote of Commissioners present.
  - c. In instances where a written staff report has been prepared, the staff representative upon recognition by the Chairperson shall present the report for the record.
  - d. Following the presentation of the staff report the Commission shall be afforded to question the staff regarding the material in the report.
  - e. After questioning of the staff is completed the Chairperson may recognize the applicant or proponent of that item of business to speak. Following the proponents remarks, any other person wishing to speak on the matter may be recognized by the chairperson.
  - f. Once any person has spoken in regard to a specific matter before the Commission, he/she shall not be recognized to speak again until all persons wishing to speak have been given the first opportunity to do so.

- g. Following the presentation by each speaker, the ~~Friends of The~~ Parks Commission shall be afforded the opportunity to question the speaker regarding the information presented by the speaker.

### **ARTICLE III**

#### **VOTING AND ACTIONS OF THE COMMISSION**

1. At all meetings of the Commission, each member shall have one vote on each motion. The Chairperson shall have one vote and shall enjoy the same opportunity to vote as afforded to all other Commission members. Voting shall be by a simple majority. There shall be no voting by proxy. No matter may be voted upon unless the matter has been discussed at a previous meeting of the Commission.
2. Each formal action of the Commission shall be written in a formal motion which will be entered verbatim into the Minutes. The Chairperson shall, at the Chairperson's discretion or at the request of any Commission member, read the motion before the motion is voted on, as provided for in Section 1 above.

### **ARTICLE IV**

#### **COMMITTEES**

1. The ~~Friends of the~~ Parks Commission may establish from time to time such standing or special committees as it deems advisable and assign each committee specific duties or functions. Each standing committee shall consist of a maximum of four members. Each special committee shall consist of a minimum of four members, the members can not be a current commissioner, and all members of the commission shall be residents of the City of Gig Harbor at the time of appointment and throughout their time in office. No standing or special committee shall have the power to commit the ~~Friends of The~~ Parks Commission to the endorsement of any plan or program without its submission to, and the approval of, the body of the Commission.

### **ARTICLE V**

#### **AMENDMENTS**

1. These Bylaws may be amended, from time to time, at the discretion the City Council. The commission may recommend revisions to the by-laws subsequent any regular ~~March or September~~ meeting.

### **CERTIFICATION**

The undersigned Secretary of the City of Gig Harbor ~~Friends of The~~ Parks Commission does hereby certify that the above and foregoing Bylaws

have been duly adopted by the members of said Commission as the Bylaws of said Commission, said Bylaws having been adopted on \_\_\_\_\_, ~~2005.~~ 2012.

\_\_\_\_\_  
Secretary of City of Gig Harbor  
~~Friends of the~~ City of Gig Harbor Parks Commission