

TOWN OF EATONVILLE

Agenda Staff Report

Agenda Item No.:	_____	Meeting Date:	<u>February 27, 2017</u>
Subject:	<u>Ordinance No. 2017-1 Amending the</u>	Prepared by:	<u>Town Attorney</u>
	<u>EMC by Reducing the Number of</u>		<u>Gregory Jacoby</u>
	<u>Planning Commission Positions from</u>	Atty Routing No:	<u>008-16</u>
	<u>Seven to Five and Staggering Terms</u>	Atty Review Date:	<u>November 29, 2016</u>

Summary: State law allows for the Town's Planning Commission to consist of anywhere from three to twelve members (RCW 35.63.020), who are appointed by the Mayor and confirmed by the Town Council. The Planning Commission currently consists of seven positions. The Mayor and Council agree that the Planning Commission should be reduced from seven positions to five.

Each member appointed to a position on the Planning Commission serves a six year term, with the terms staggered such that, in any given year, there will be no more than one regularly scheduled vacancy. In the event a Planning Commission member leaves or is removed from their position during the course of their term, any replacement member will serve out the remainder of the vacated term pursuant to EMC 2.32.030.

The expiration date for Position 1 will be updated to December 31, 2019 and the expiration date for Position 4 will be updated to December 31, 2020.

The currently existing Positions 3 and 7 are vacant. In order to maintain the orderly staggering of terms, the proposed ordinance will eliminate Positions 3 and 7, shift Position 4 to Position 3, shift Position 5 to Position 4, and shift Position 6 to Position 5.

The proposed ordinance will take effect on January 1, 2017.

Recommendation: Staff recommends adoption of Ordinance No. 2017-1 reducing the number of Planning Commission positions from seven to five and correcting errors regarding expiration dates.

Motion for consideration: I move to adopt Ordinance No. 2017-1 reducing the number of Planning Commission positions from seven to five and correcting errors regarding expiration dates.

Fiscal Impact: None

Attachments: Proposed Ordinance No. 2017-1.

ORDINANCE NO. 2017-1

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, AMENDING EATONVILLE MUNICIPAL CODE SECTIONS 2.32.010 AND 2.32.020 BY REDUCING THE NUMBER OF PLANNING COMMISSION POSITIONS FROM SEVEN TO FIVE AND STAGGERING TERM EXPIRATION DATES

WHEREAS, pursuant to RCW 35.63.020, the Town's Planning Commission may consist of anywhere from three to twelve members, who are to be appointed by the Mayor and confirmed by the Town Council; and

WHEREAS, pursuant to Eatonville Municipal Code (EMC) Section 2.32.010, the Town Planning Commission currently consists of seven positions; and

WHEREAS, the Town Council finds that reducing the number of positions on the Planning Commission from seven to five is in the best interest of the Town; and

WHEREAS, Position 1 was previously adopted by Resolution 2014-F, for a six year term beginning January 1, 2014, and expiring December 31, 2020; however, the expiration date set forth in Resolution 2014-F was in error and the next expiration date for Position 1 should be December 31, 2019; and

WHEREAS, Position 4 was previously adopted with Resolution 2016-B for a six year term that began on January 12, 2016, and was scheduled to expire on December 31, 2020; however, in order to maintain the orderly stagger of positions the new expiration date for Position 4 will be 12/31/2021; and

WHEREAS, based on the current expiration dates for each position and in order to maintain an orderly stagger of the positions, the reduction of positions from seven to five is best accomplished by the elimination of Positions 3 and 7, the shifting of Position 4 to Position 3, shifting of Position 5 to Position 4, and the shifting of Position 6 to Position 5; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:

Section 1. Eatonville Municipal Code Section 2.32.010 is hereby amended to read as follows:

2.32.010 Created – Membership – Appointment.

Pursuant to the authority conferred by Chapter 35.63 RCW, there

is re-created a town Planning Commission, consisting of ~~seven~~ five members who shall be appointed by the mayor and confirmed by the town council.

Section 2. Eatonville Municipal Code Section 2.32.020 is hereby amended to read as follows:

2.32.020 Members – Terms.

There shall be ~~seven~~ five planning commission positions to be known as position 1, position 2, position 3, position 4, and position 5, ~~position 6, and position 7,~~ respectively. The ~~current~~ terms ~~expiration~~ for each of the respective planning commission positions ~~is~~ shall expire as follows:

Position	Term Expiration
Position 1	12/31/ 2007 <u>2019</u> <u>and every six years</u> <u>thereafter.</u>
Position 2	12/31/ 2008 <u>2020</u> <u>and every six years</u> <u>thereafter.</u>
Position 3	12/31/2021
Position 4 <u>3</u>	12/31/ 2020 <u>2021</u>
Position 5 <u>4</u>	12/31/ 2011 <u>2017</u> <u>and every six years</u> <u>thereafter.</u>
Position 6 <u>5</u>	12/31/ 2012 <u>2018</u> <u>and every six years</u> <u>thereafter.</u>
Position 7	12/31/2012

~~Upon expiration of the terms of each position above, successors shall be appointed by the mayor for the term of six years each, so that one member of the planning commission shall be appointed annually for five years and two members appointed in the sixth year. When an appointment by the mayor is to fill an open position prior to the end of the term, then the person so appointed shall serve out the term of the position into which he or she has been appointed. The term for each member shall be six years, except~~

~~that appointments to fill any unexpired term shall be for the duration of said unexpired term.~~

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. This ordinance shall take effect on March 1, 2017 after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 02/27/2017

2ND READING: __/__/__

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this ____ day of February, 2017.

Mike Schaub
Mayor

ATTEST:

Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney