

**CITY OF MONROE
WASHINGTON
ORDINANCE NO. 017/2022**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING CHAPTER 4.10 MMC GENERAL PROVISIONS; UPDATING AND CLARIFYING THE PHYSICAL LOCATION, REMOTE PARTICIPATION, MEETINGS OF THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES; MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO THE STANDARDS AND PROCEDURES GOVERNING BOARD, COMMISSION AND COMMITTEE MEMBER QUALIFICATIONS, VACANCIES, QUORUM REQUIREMENTS, AND TERMS OF SERVICE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 4.10 of the Monroe Municipal Code ("MMC"), provides general provisions for the City's boards, commissions, and committees; and

WHEREAS, Chapter 42.30 RCW, the Open Public Meetings Act ("OPMA"), dictates the manner in which public meetings shall be conducted; and

WHEREAS, House Bill (HB) 1329, approved by Washington State Legislature amending the OPMA, encourages municipalities to allow for virtual participation by the public, and allows for virtual participation by members of governing bodies if allowed by ordinance or rule; and

WHEREAS, the City Council desires to amend Chapter 4.10 MMC in order to ensure compliance with HB 1329, to clarify the requirement of a quorum of board, commission, and committee members, to allow and establish parameters for remote attendance by such members, and to make other minor housekeeping amendments that will enhance the clarity and administration of said chapter;

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

Section 1. Amendment of MMC 4.10.020. Section 4.10.020 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

4.10.020 Qualification of applicant.

Every person who sits on a city board, commission, or committee must reside within Monroe city limits, unless otherwise provided by ordinance or enacting resolution, as applicable. Members shall be selected without respect to political affiliations.

Section 2. Amendment of MMC 4.10.030. Section 4.10.030 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

4.10.030 Appointment, removal, and vacancy.

A. Board, commission, and committee members shall be appointed by the mayor and confirmed by the city council, except as otherwise provided by city ordinance or state statute. City council confirmation on an appointment made by the mayor shall occur only at a regular meeting of the Monroe city council.

B. Board, commission, and committee members shall only be removed from office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, for a disqualifying change of residence; or as otherwise provided by ordinance, or rules of procedure.

C. In the event of a vacancy, all open positions shall be advertised, and the mayor shall appoint, subject to ~~approval~~ confirmation by the city council, a person to serve in the open position. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired terms.

Section 3. Amendment of MMC 4.10.050. Section 4.10.050 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

4.10.050 Quorum.

A. A majority of the membership of a board, commission, or committee shall constitute a quorum for the transaction of business.

B. Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting of the board, commission, or committee shall be deemed and taken as the action of the board, commission, or committee. Only those members ~~physically~~ present at an official meeting shall vote on an issue. Written or verbal votes or opinions of members not ~~physically~~ present at a meeting shall not be counted in any official action.

C. A vote of the majority of the members of a quorum ~~may~~ shall constitute a decision or recommendation, as applicable, of the board, commission, or committee.

Section 4. Amendment of MMC 4.10.060. Section 4.10.060 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

4.10.060 Terms of service.

A. The term of any city board, commission, or committee member shall be established by ordinance or enacting resolution, as applicable. Terms shall be staggered by the appointment of initial members for lesser terms so that as nearly as possible a pro rata number of members are appointed each year.

B. Except as provided in MMC 4.10.030, the board member serves during the term for which they are appointed or until a successor has been elected or appointed and has taken the seat to which they were elected or appointed, unless official resignation has been filed with the mayor, city administrator, or city clerk.

C. Terms shall be calculated on a twelve-month cycle, with a term end considered to be December 31st of each year, unless otherwise provided by ordinance or enacting resolution, as applicable.

Section 5. Amendment of MMC 4.10.070. Section 4.10.070 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

4.10.070 Meetings.

A. City board, commission, and committee meetings shall be held regularly at a designated time and place at City Hall, or as otherwise provided by ordinance or rules of procedure. The chair or majority of the board, commission, or committee may call a special meeting. All meetings shall be open to the public, unless otherwise provided by ordinance or enacting resolution, as applicable. All meetings shall comply with the requirements of Chapter 42.30 RCW as applicable. Whenever feasible, virtual attendance at meetings of boards, commissions, and committees shall also be available to the public via telephonic and other electronic methods, the connection information of which shall be provided to the public at time of publication of the meeting agenda.

B. Members are encouraged to attend meetings in-person; to the extent practicable; however, members may, from time to time, attend meetings remotely subject to the requirements of this section.

1. During periods of a declared emergency, fully remote meetings are allowed where the members, staff, and the public can attend via telephonic or other electronic means that allows real-time verbal communication without being in the same physical location. Any such fully remote meeting shall comply with the requirements of Chapter 42.30 RCW, as applicable.

2. During non-emergent periods, a physically present quorum of members is not required in order to conduct a meeting, if a quorum of members is obtained through either physical presence at the meeting and/or through telephonic or other electronic means that allows real-time verbal communication without being in the same physical location. Any such remote participation shall comply with the requirements of Chapter 42.30 RCW, as applicable.

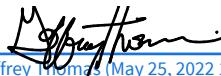
Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause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

Section 7. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 24th day of May, 2022.

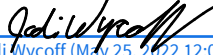
First Reading: May 24, 2022
Adoption: May 24, 2022
Published: May 27, 2022
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CITY OF MONROE, WASHINGTON:


Geoffrey Thomas (May 25, 2022 18:21 GMT+1)
Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:


Jodi Wycoff (May 25, 2022 12:05 PDT)
Jodi Wycoff, City Clerk


Zach Lell (May 25, 2022 10:21 PDT)
J. Zachary Lell, City Attorney











Ord 017_2022_MMC 4.10 Board Commission Committee General Provisions

Final Audit Report

2022-05-25

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