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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4193

AN ORDINANCE establishing an Environmental Services Commission, providing for membership, eligibility requirements, removal, filling of vacancies, meetings and setting forth its powers and duties and adding a new chapter 3.55 to the Bellevue City Code.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby created a new Chapter 3.55 of the Bellevue City Code to read as follows:

3.55.010 Environmental Services Commission.

There is created and established the Environmental Services Commission of the City of Bellevue.

3.55.020 Membership Appointment.

The Environmental Services Commission shall consist of seven members, except as provided in Section 3.55.030D, appointed by the Mayor with consent of a majority of the City Council.

3.55.030 Eligibility, Composition, Term.

A. No person is eligible to be appointed as a member of the Environmental Services Commission unless he or she resides within the City or within the City's service area for either the water or sewer system. A position on the Commission shall become vacant upon a member's ceasing to be a resident of the City and of the City's water and sewer service areas.

B. The term for all positions on the Commission, except for initial appointments as hereinafter provided, shall be four years. Each position shall expire on May 31st of the last year of the term. Persons appointed to a position during the pendency of the term of that position shall serve until the end of the term.

C. No person may serve more than two consecutive terms; provided a person appointed to fill a term of two years or less is eligible to serve two successive four-year terms, and provided further a person who is

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ineligible to serve for having served two consecutive terms may again serve after two years have elapsed from the end of the second such term.

D. The initial membership of the Commission shall be as follows:

1. All current members of the Storm and Surface Water Advisory Commission shall be appointed as members of the Environmental Services Commission, their terms to be identical with the terms currently being served.

2. One new member will be appointed to a three year term.

3. One new member will be appointed to a four year term.

4. The first two positions on the Environmental Services Commission to become vacant through resignation or ineligibility will not be refilled. If two positions have not become vacant through resignation or ineligibility by May 31, 1993 those positions whose terms expire on that date will only be refilled if no more than seven members will exist.

3.55.035 Officers.

The officers of the Commission are a chairperson and a vice chairperson. The chairperson and vice chairperson of the commission will be appointed by the Mayor and shall serve in such position until May 31, 1992. Thereafter, the members of the Commission shall elect from its members the chairperson and the vice chairperson annually. The Commission may also elect from its members such other officers as the Commission may deem necessary.

3.55.040 Removal.

Members of the Commission may be removed at any time by the Mayor, with the consent of a majority of the City Council. The decision of the City Council shall be final and there shall be no appeal therefrom.

3.55.050 Vacancies.

Vacancies occurring otherwise than through the expiration of a term shall be filled for the unexpired term by the Mayor with the consent of a majority of the City Council.

3.55.060 Meetings.

The Commission shall meet at least once a month. All meeting shall be open to the public; provided, the Commission may hold executive sessions as permitted by law. A majority of the membership shall

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constitute a quorum. Action may be taken by a majority of the members present, when a quorum exists.

3.55.070 Powers and Duties.

The Commission shall act in a policy advisory capacity to the City Council. To that end, with respect to city water, sewer, storm and surface water and solid waste utility programs, the Commission may hold public hearings and shall make such studies, analyzes and reports as requested by the City Council, and shall review, advise and make recommendations to the Council as needed, regarding:

- A. Short and long-range planning
- B. Annual budgets
- C. Rates and rate structures
- D. Rate assistance programs
- E. CIP financing proposals
- F. Contracts for City-provided wholesale and retail intergovernmental service
- G. City of Bellevue policies directly related to utility functions
- H. Ordinances and resolutions necessary to carry out assigned duties and responsibilities
- I. Any other activities that the City Council may so direct
- J. Coordination of duties with other council-appointed boards, committees and commissions, as appropriate.

The Commission shall have no powers or duties with respect to the following activities:

- 1. Administrative operations, maintenance and development activities
- 2. Regional issues not specifically assigned to the Commission by the City Council

3.55.080 Staff Support.

The Department of Public Works and Utilities and the Storm and Surface Water Utility shall provide technical and clerical support for the commission.

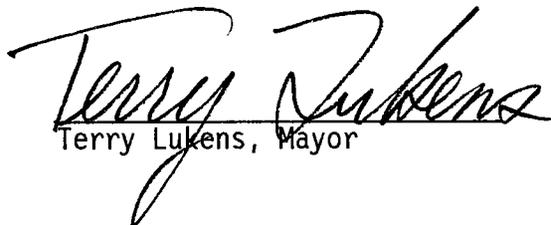
Section 2. Section 12 of Ordinance 3727 and Chapter 3.54 of the Bellevue City Code are each hereby repealed.

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Section 3. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 24th day of June, 1991, and signed in authentication of its passage this 24th day of June, 1991.

(SEAL)


Terry Lukens, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Scott McKee, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published June 28, 1991