

ORDINANCE 2011 - 12

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF SUNNYSIDE, WASHINGTON, AMENDING  
CHAPTER 2.09 OF THE SUNNYSIDE MUNICIPAL CODE TO  
ELIMINATE THE REQUIREMENT OF MONTHLY MEETINGS  
AND TO ESTABLISH SUBCOMMITTEE CHAIR AND  
VICE CHAIR POSITIONS WHO SHALL HAVE  
RESPONSIBILITY FOR SUBCOMMITTEE AGENDAS**

**WHEREAS**, pursuant to Chapter 35A.13 of the Revised Code of Washington, the City Council is charged with the legislative authority of the City of Sunnyside;

**WHEREAS**, Chapter 2.09 of the Sunnyside Municipal Code establishes Council Standing Subcommittees for the purpose of advising and educating City Council members;

**WHEREAS**, the City Council has determined that chapter 2.09 should be amended to eliminate the requirement that Council Standing Subcommittees meet each month, and to provide that Council Standing Subcommittees activities be governed by rotating chair and vice chair positions, which shall also be responsible for agendas;

**WHEREAS**, the City Council has determined that revising Chapter 2.09 of the Sunnyside Municipal Code to reflect same is in the best interest of the residents of the City of Sunnyside and will promote the general health, safety and welfare;

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF SUNNYSIDE, WASHINGTON**, as follows:

**Section 1.** Sunnyside Municipal Code Section 2.09.010 is hereby amended to read as follows:

### **2.09.010 Creation.**

There are created the following standing (“permanent”) subcommittees of the Sunnyside City Council, for the purposes of advising and educating the City Council (Committee of the Whole, COTW). Such subcommittees shall not be authorized to and shall not act on behalf of the COTW, but may conduct hearings, and take testimony and public comment. Members shall be selected by position or district number and will rotate annually with the exception of the Mayor who shall serve only in the event of a City Council position vacancy.

**Section 2.** Sunnyside Municipal Code Section 2.09.020 is hereby amended to read as follows:

### **2.09.020 Intent – Governing law.**

The intent of this chapter is to provide a mechanism by which the Sunnyside City Council and its members are better able to understand the operations of the City and to provide a vehicle in which the City Council may direct at its discretion a more thorough investigation of matters which it must decide. Under the council-manager plan of government as defined by Chapter 35A.13 RCW, the City Manager has supervision over the administrative affairs of the City. For the purposes of this chapter, neither the COTW nor any of its subcommittees or members shall direct the appointment of any person to, or his or her removal from, office by the City Manager or any of his or her subordinates. Except for the purpose of inquiry, the COTW and its subcommittees or members shall deal with the administrative service solely through the Manager and neither the City Council nor any committee or member thereof shall give orders to any subordinate of the City Manager, either publicly or privately.

**Section 3.** Sunnyside Municipal Code Section 2.09.050 is hereby amended to read as follows:

### **2.09.050 Terms – Membership.**

A. Subcommittees will consist of three elected members, the City Manager and one or more department directors; provided that the number of department directors shall not be greater than the number of elected members. The department directors shall be appointed by the City Manager. Additionally, a staff liaison will be appointed by the City Manager, and will act as the subcommittee secretary. Each elected member of a subcommittee shall serve a one-year term, and no elected member shall serve more than one term consecutively on the same subcommittee. Elected members will be selected by position or district number, whichever may apply, and, beginning 2012, will be appointed by the Mayor at the first annual regularly scheduled meeting of the City Council with any objections being decided by a majority vote of the City Council; provided, that the initial appointment process will be conducted at the first regularly scheduled meeting following the adoption of the

ordinance codified in this chapter. The Mayor shall appoint elected members in such a way as to ensure that all members have an opportunity to serve on all subcommittees during a four-year term as a Councilmember.

B. Each subcommittee shall have a designated chair and vice chair, who shall coordinate the development of agendas, facilitate subcommittee meetings, and report back to the COTW. The chair/vice chair shall rotate among the City Council members on each subcommittee based on the lowest position number. Each chair/vice chair shall serve for four consecutive subcommittee meetings, at which point the role of chair/vice chair shall rotate to the next highest position number.

**Section 4.** Sunnyside Municipal Code Section 2.09.060 is hereby enacted to read as follows:

**2.09.060 Procedure – Duties.**

It shall be the responsibility of each subcommittee to advise and make recommendations to the COTW on all areas as defined in SMC 2.09.040. The activities of the subcommittee shall be governed by the chair/vice chair with direction and advice from the City Manager; provided, that the COTW may at its discretion direct any committee to review or advise them on any item for which the subcommittee has responsibility as provided by SMC 2.09.040.

**Section 5.** A new Section 2.09.065 of the Sunnyside Municipal Code is hereby adopted to read as follows:

**2.09.065 Procedure – Agenda**

The chair or vice chair of the subcommittee will be responsible for preparing the agenda for the subcommittee. Any member of the Subcommittee, COTW, the City Manager or his/her designee may introduce items for any subcommittee agenda. All items voted on or decided by the subcommittee must be brought before the COTW for final determination.

**Section 6.** Sunnyside Municipal Code Section 2.09.070 is hereby amended to read as follows:

**2.09.070 Meetings.**

Subcommittees shall meet at such time as the chair/vice chair thereof or a majority of the subcommittee shall select, or by direction of the COTW at their discretion. All meetings of all subcommittees as defined in this chapter shall be subject to the Washington Open Public Meetings Act as defined in Chapter 42.30 RCW.

**Section 7.** Sunnyside Municipal Code Section 2.09.080 is hereby amended to read as follows:

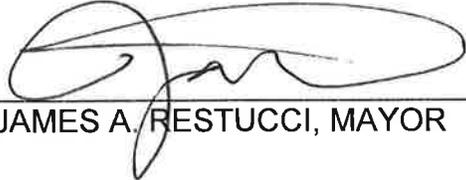
**2.09.080 Monthly report.**

Each subcommittee chair/vice chair will be responsible for providing an activities report to the COTW at the following regularly scheduled meeting of the COTW. In the event that a meeting was not held prior to the regularly scheduled meeting of the COTW, the chair/vice chair of the subcommittee will state for the record that no meeting was held.

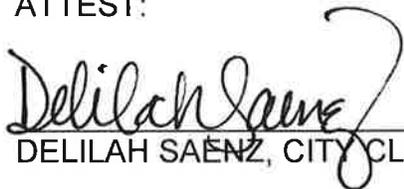
**Section 8.** Except as amended herein, Title 2 of the Sunnyside Municipal Code shall remain unchanged.

**Section 9.** This ordinance shall be effective five days after passage, approval and publication as required by law.

**PASSED** this 12<sup>th</sup> day of September, 2011.

  
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JAMES A. RESTUCCI, MAYOR

ATTEST:

  
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DELILAH SAENZ, CITY CLERK

APPROVED AS TO FORM:

  
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MENKE JACKSON BEYER EHLIS & HARPER, LLP  
Attorneys for the City of Sunnyside