

ORDINANCE NO. 08-3667

AN ORDINANCE CREATING THE KELSO STORMWATER ADVISORY COMMITTEE, ESTABLISHING THE QUALIFICATIONS FOR MEMBERSHIP ON SUCH COMMITTEE, AND PRESCRIBING THE DUTIES OF SUCH COMMITTEE.

WHEREAS, Kelso's Phase II Municipal Stormwater Permit requires the creation of "opportunities for the public to participate in the decision making processes involving the development, implementation and update of the Permittee's entire Stormwater Management Plan"; and

WHEREAS, the City Council recommends the creation of a committee to be known and designated as the "KELSO STORMWATER ADVISORY COMMITTEE" comprised of the members described below, having the powers and duties as prescribed herein, and for the purposes hereinafter set forth; now, therefore,

THE CITY COUNCIL OF THE CITY OF KELSO DO HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That there is hereby created an advisory committee comprised of citizens, taxpayers, business owners and operators, and property owners, to be known and designated as the "Kelso Stormwater Advisory Committee."

SECTION 2. The Kelso Stormwater Advisory Committee shall consist of seven (7) members appointed by the City Manager. The members of said committee shall have exhibited or demonstrated an interest in the quality of surface waters within and around the City, and to have basic knowledge of stormwater permit requirements. The members of said committee shall meet the following qualifications:

(1) STORMWATER PERMITTEES & DEVELOPMENT ENTITIES

(a) LARGE LAND HOLDER/DEVELOPER OR DEVELOPER'S AGENT:

At least one (1) member shall be and remain during that member's tenure an owner, operator, or representative of a privately owned firm that acquires property within the City and prepares it for residential, commercial, or industrial use.

(b) STORMWATER PERMITTEE/AFFECTED BUSINESS OWNER:

At least one (1) member shall be and remain during that member's tenure an owner, operator, or representative of a privately owned facility within the City that is permitted and currently operating under Washington State's Industrial or Construction Stormwater NPDES permit programs.

(2) AT-LARGE ENTITIES

(a) CITIZEN:

At least one (1) member shall have been five years or longer and remain during that member's tenure, a resident of the City of Kelso.

(b) YOUTH MEMBER:

At least one (1) member shall be under the age of 25 and remain during that member's tenure a full-time student at a high school situated within the City of Kelso or a college..

(c) ENVIRONMENTAL ADVOCATE:

At least one (1) member shall be and remain during that member's tenure a representative and member of a non-profit environmental advocacy organization that has been registered as a 501(c)(3) with the Washington Office of the Secretary of State.

(d) RECREATION ADVOCATE:

At least one (1) member shall be and remain during that member's tenure a representative of a non-profit organization whose focus is recreational activities in surface water, including but not limited to recreational fishing, boating, diving, board sailing, waterskiing, kayaking, canoeing, swimming, or triathlon.

(3) TECHNICAL ADVISOR

At least one (1) member shall be and remain during that member's tenure a representative and employee of a natural resource government agency within the State of Washington, including but not limited to the Washington Department of Natural Resources, Washington Department of Ecology, or Washington Department of Fish and Wildlife.

Each member of said committee shall be a resident of the City of Kelso, or reside in the state of Washington within a 40-mile radius of the Kelso city limit, during that member's tenure. In no event may a member be appointed who is a lobbyist, registered with the Secretary of State, nor may a member be employed by the City of Kelso. In the selection of committee members, each member shall be designated as meeting one of the qualifications for membership set forth in this section even though such member may meet other qualifications (i.e., a member may be a stormwater permittee and may also be a developer, but such member shall be restricted to and remain as a representative of a single designation at the time of appointment).

SECTION 3. Except as provided in this section, each member of said committee shall serve for a term of two years. As each member completes his or her term of office, an appointee to fill the committee position so vacated shall be appointed for a term of two years. There shall be no limitation on reappointments of committee members. All terms of office shall expire on December 31, and except as provided for mid-term vacancies in this section, appointees shall assume their office as committee members on January 1. At the time of appointment of the first members of the committee, said members shall be appointed for the following terms of office:

- a. At least three members shall be appointed for a term to expire on December 31, 2009;
- b. At least three members shall be appointed for a term to expire on December 31, 2010;

SECTION 4. If any member of said committee should cease to meet the qualifications for membership set forth in Section 2 of this Resolution, the office of said committee member shall be deemed to be vacant, and the City Manager shall appoint a replacement member who meets the specified qualifications of the now vacant office to complete the unexpired term of office created by such vacancy.

SECTION 5. The City Manager shall hire or appoint a City Stormwater Manager. One of the Stormwater Manager's functions will be to facilitate and support the meetings of the Stormwater Advisory Committee. The Stormwater Manager will attend committee meetings and act as City liaison to the committee. City staff shall not be a voting member of the committee, but shall act in an advisory capacity.

SECTION 6. The Kelso Stormwater Advisory Committee shall assist, guide, and make recommendations for implementation of the Kelso Stormwater Management Plan, which is required by Special Condition #5 in Kelso's Phase II Municipal Stormwater Permit.

(1) Powers and Duties:

- (a) The committee shall serve as the primary group to advise the city regarding implementation of the prioritized strategies and goals that are described in Special Condition #5 of the Phase II Municipal Stormwater Permit.
- (b) The committee shall provide consultation with the City Stormwater Manager, (described in Section (5) of this Resolution), and may make recommendations to the Kelso City Council;

- (c) The committee shall conduct all meetings in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation, and adopt standards in its by-laws to guide its actions to the extent proceedings of the committee are governed by such act;
 - (d) The committee shall perform other functions related to implementation of the Phase II Municipal Stormwater Permit as assigned to the committee by the City Council.
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- (2) Compensation. All members shall serve without compensation.
 - (3) Rules and Officers. The committee shall establish and adopt its own rules of procedure and by-laws, and shall select from among its membership a chairperson and such other officers as may be necessary to conduct the committee's business. There shall be an attendance requirement established in the by-laws for the committee members.
 - (4) Committee staff. The City Manager shall be responsible for and may designate administrative and staff services of the City to assist the committee as needed.

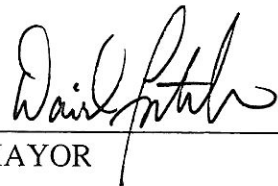
SECTION 7. This resolution shall be effective immediately upon its adoption.

ADOPTED by the City Council and **SIGNED** by the Mayor this 19th day of February, 2008.

ATTEST/AUTHENTICATION:




CITY CLERK



MAYOR

APPROVED AS TO FORM:



CITY ATTORNEY

Published 2-23-08