
HOUSE BILL 2957

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Franklin, Mitchell, Haugen, Ferguson, R. Fisher and Tate

Read first time 02/05/92. Referred to Committee on Local Government.

1 AN ACT Relating to metropolitan park districts; and adding a new
2 section to chapter 35.61 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.61 RCW
5 to read as follows:

6 (1) Pursuant to subsection (2) of this section, the board of park
7 commissioner shall appoint a chief executive officer known as the
8 "executive director" to head the administration of the district. The
9 executive director shall be responsible to the board for the proper
10 administration of all affairs of the district.

11 (2) The executive director shall be chosen by an affirmative vote
12 of no fewer than three of the board of park commissioners on the basis
13 of such person's executive and administrative qualifications and
14 experience in, or knowledge of, park and recreation development and

1 operations. The executive director must be a resident of the district,
2 unless the board waives such requirement. Members of the board of park
3 commissioners shall not be eligible for appointment as executive
4 director until one year has elapsed following such membership on the
5 board.

6 (3) The executive director or the designee thereof shall attend
7 regular, special, and executive session meetings of the board and take
8 part in the discussion of any matters pertaining to the district, but
9 shall have no vote.

10 (4) The executive director shall:

11 (a) Execute the policies and resolutions of the board;

12 (b) Oversee enforcement of laws pertaining to matters within the
13 functions of the district;

14 (c) Recommend for adoption by the board measures deemed necessary
15 or expedient;

16 (d) Prepare and submit to the board such reports as may be required
17 by that body or deemed advisable to submit;

18 (e) Keep the board fully advised as to the financial condition and
19 needs of the district;

20 (f) Prepare an annual estimate for the ensuing fiscal year of the
21 probable expenses and revenues of the district;

22 (g) Recommend to the board proposed land acquisition and
23 development work, and what extensions and additions, if any, should be
24 made thereto during the year, and with an estimate of the costs of
25 development work, extensions, and additions;

26 (h) Pursuant to approved budgets or other resolutions, pay all
27 bills, allowances, and payrolls, including claims due contractors of
28 public works;

29 (i) Recommend to the board salary ranges of the employees of the
30 district, and a scale of salaries to be paid for the different classes

1 of service required by the district; and hire and discharge district
2 employees subject to adopted personnel regulations; and

3 (j) Perform such other duties as the board may determine by
4 resolution.

5 (5) Neither the board nor any of its members or its advisory
6 committees shall direct the executive director or any subordinates
7 thereof to appoint or dismiss any of the district's personnel. Except
8 for the purpose of inquiry, the board and its members shall deal with
9 the district's personnel solely through the executive director.
10 Neither the board nor any committee or members thereof in their
11 capacities as members shall give orders to or direct the activities of
12 any of the district's personnel, either publicly or privately.
13 However, nothing in this subsection shall be construed to prohibit the
14 board, while in open session or executive session, from discussing with
15 the executive director anything pertaining to personnel and district
16 affairs or from discussing with district employees anything pertaining
17 to the substance of any such employee's duties.

18 (6) The executive director may by contract be appointed for an
19 indefinite term and may nevertheless, with or without cause, be removed
20 by an affirmative vote of no fewer than three members of the board of
21 park commissioners.

22 (a) At least thirty days before the effective date of removal, the
23 executive director must be furnished with a formal statement in the
24 form of a resolution adopted by an affirmative vote of no fewer than
25 three members of the board stating the board's intention to remove the
26 executive director and the reasons therefor.

27 (b) Upon adoption of the resolution stating the board's intention
28 to remove the executive director, the board by resolution may suspend
29 the executive director with pay until the removal becomes effective or
30 until an existing contractual obligation is met.

1 (c) Within thirty days from the date of receipt of service of a
2 copy of the resolution stating the board's intention to remove the
3 executive director, the executive director may reply in writing.

4 (d) If no reply is timely filed with the board's clerk, the removal
5 shall be effective upon the thirty-first day from the date of such
6 service.

7 (e) If a reply shall be timely filed, the board shall fix a time
8 for a public hearing upon the question of the director's removal. By
9 the affirmative vote of no fewer than three members, the board may then
10 adopt, within thirty days following the public hearing, a final
11 resolution removing the executive director. The action of the board in
12 removing the executive director after the public hearing shall be
13 final.