

ORDINANCE NO. 2662

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ENVIRONMENTAL POLICY, AND AMENDING ORDINANCE NO. 2473 AS AMENDED REGARDING PERFORMANCE OF THE RESPONSIBLE OFFICIAL FUNCTION FOR THE CITY.

WHEREAS, WAC 197-10-820 mandates that the City designate the person or persons to serve as the "Responsible Official" for the City; and

WHEREAS, it is desirable to have consistency in decisions and actions of the Responsible Official; and

WHEREAS, this ordinance is categorically exempt from further review under the State Environmental Policies Act, RCW 43.21C under WAC 197-10-170(11) and (21).

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Section 4 of Ordinance 2473, as amended, is amended to read as follows:

Section 4. Environmental Coordinator: The City Manager shall designate an employee of the City to act as Environmental Coordinator. It shall be the responsibility of the Environmental Coordinator to:

- (1) Assure that all SEPA related City regulations and policies are in compliance with corresponding regulations and policies at the State level;
- (2) Assist all City Departments in the interpretation and implementation of this Ordinance;
- (3) Coordinate the processing of reconsiderations and appeals pursuant to Section 9 of this Ordinance;
- (4) Assist the public with inquiries concerning environmental policy and other SEPA-related information;
- (5) Coordinate the review of and response to impact statements submitted to the City by other governmental agencies;
- (6) Assist Departments in coordinating the preparation and distribution of environmental impact statements undertaken by the City or its consultants;

(7) Review each Environmental Checklist submitted to the City and make a recommendation to the Responsible Official on each action or proposal.

(8) Perform other duties as directed.

Section 2. Section 5 of Ordinance 2473, as amended, is amended to read as follows:

Section 5. Responsible Official:

~~(1) -- For these proposals for which the City is the lead agency, the Responsible Official is the head of the Department with jurisdiction over the proposed action. -- If there is more than one department that will have jurisdiction over the proposal, the City Manager shall determine which department head will be the Responsible Official. -- The City Manager may act as the Responsible Official for any action.~~

(1) The City Manager, or the person designated in writing by the City Manager, is the Responsible Official for actions or proposals for which the City is the primary proponent. The Director of the Department of Community Development or the person designated in writing by the Director of the Department of Community Development is the Responsible Official for all actions and proposals other than those for which the City Manager is the Responsible Official.

(2) The Responsible Official shall review the environmental checklist, make the threshold determination, supervise preparation of any required EIS, and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA Guidelines which were adopted by reference in Section 2 hereof, for all proposals for which the City is the lead agency. (Reference WAC 197-10-820).

(3) The Responsible Official for a proposal shall not prepare or sign the environmental checklist for that proposal.

Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

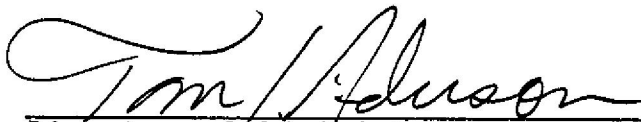
Section 4. This Ordinance shall be in force and take effect five (5) days from and after its passage by the City Council and publication or posting as required by law.

PASSED BY MAJORITY VOTE OF THE KIRKLAND CITY COUNCIL IN REGULAR, OPEN MEETING this 3rd day of May, 1982.


SIGNED IN AUTHENTICATION thereof this 3rd day of May, 1982.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

0074B

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 5th day of May, 1982 in accordance with the provisions of RCW 35A.22.260 and City of Kirkland Ordinance No. 2600.

CLERK