

ORDINANCE NO. 2021-03-009

AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING ORDINANCE NO. 201911-033 WHICH ESTABLISHED AN IMMIGRATION ADVISORY BOARD AND AMENDING THE BELLINGHAM MUNICIPAL CODE TO CODIFY THE ESTABLISHMENT, FUNCTION, AND MEMBERSHIP OF THE BOARD

WHEREAS, the City of Bellingham adopted ordinance No. 2019-11-033 which established an immigration advisory board; and

WHEREAS, the City Council wishes to codify the establishment of the immigration advisory board, make changes to its composition to include alternate members, allow for non-City residents to become members, and make additional procedural changes.

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Chapter Created. There is hereby created a Chapter 2.26 of the Bellingham Municipal Code entitled “Immigration Advisory Board” which shall read as follows:

Section 2.26.010 - Board Established. Pursuant to Bellingham City Charter Section 7.01, there is established an Immigration Advisory Board. The purpose of the board is to review and evaluate existing policies and make specific recommendations regarding City policy related to immigration matters. This evaluation will include, but is not limited to, analysis of City data to determine compliance with E2SSB 5497. The board will make recommendations for further data to be compiled in order to facilitate its recommendations. In addition, the board shall support community involvement in and discussion of regional issues and decisions about our City’s future as it relates to immigration.

Section 2.26.020 - Membership and Appointment. The board will consist of no more than 12 members excluding alternate members. Individuals will complete an application process to seek appointment to the board. Members will be appointed by the mayor and confirmed by city council to serve two-year terms. After the board is constituted, a member who anticipates periodic conflicts with the meeting schedule may request to have an alternate member appointed by the mayor. When appointing alternates, the mayor will consider individuals recommended by the board and other eligible applicants. Alternates shall not function as board members unless the primary member is unable to attend a particular meeting. When not serving as replacements for a member, alternates are encouraged to listen to meeting proceedings or to otherwise remain informed on the business before the board. Alternates who are serving in the place of an absent board member shall be counted if needed to establish a quorum and shall be entitled function as a primary member for the duration of the meeting. In order to provide for staggered

terms, the mayor shall initially assign a one-year term for four members, with the remaining members assigned a two-year term. Members may serve for no more than two full two-year terms. Those serving as alternates shall serve for terms that are identical to those of the board members for whom they are alternates. Members shall be residents of Whatcom County for at least one year prior to appointment or reappointment as a member of the board. Any vacancy in the membership of the board or among alternates shall be filled in the same manner as the original appointment, with the replacement serving the remainder of the unexpired term. Membership will include at least one representative from each of the following sectors of the community:

- (a) Directly Impacted Individual or Liaison
- (b) Advocacy – Human Rights
- (c) Legal – Immigration Law / Civil Rights
- (d) Youth / Education
- (e) Faith / Religion
- (f) Healthcare / Medical
- (g) Labor – Service Industry
- (h) Labor – Agricultural Industry
- (i) Business / Economic Development

Section 2.26.030 - Organization and Meetings. The board will meet once a month.

Interpretation and translation services will be provided by the City of Bellingham as needed to facilitate the work of the board. The meetings will be open to the public with agendas and minutes, maintained per the City's record retention schedules. The members of the board will elect or otherwise identify a pair of cofacilitators to preside over meetings, set the agenda, and oversee the work of the board. The body of rules, ethics and customs that govern meetings and other operations of the board will be adopted by the membership. The board will be supported by city council-designated staff for ongoing meeting support. Mayor-designed staff will provide information to the board as needed.

Section 2.26.040 - Data Collection. The city shall collect data regarding any and all contact between the City of Bellingham and Immigration and Customs Enforcement or Customs and Border Protection. The data collection will be used to help in monitoring compliance with RCW 10.93.160 and Washington State Session Law 2019 c 440 § 6.

Section 2.26.050 - Periodic Updates to Immigration Advisory Board. The city administration shall provide the data compiled pursuant to Section 2 of this Ordinance to the council and the board on a monthly basis.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

PASSED by the Council this ____ day of _____, 2021.

Council President

APPROVED by me this ____ day of _____, 2021.

Seth Fleetwood, Mayor

ATTEST: _____
Andy Asbjornsen, Finance Director

APPROVED AS TO FORM:

Peter Ruffatto, City Attorney

PUBLISHED:

March 12, 2021