

RCW 36.100.020 Governance—Board of directors. (1) (a) A public facilities district must be governed by a board of directors consisting of five, seven, or nine members as provided in this section.

(b) If the largest city in the county has a population that is at least forty percent of the total county population, the board of directors of the public facilities district must consist of five members selected as follows:

(i) Two members appointed by the county legislative authority to serve for four-year staggered terms;

(ii) Two members appointed by the city council of the largest city in the county to serve for four-year staggered terms; and

(iii) One person to serve for a four-year term who is selected by the other directors.

(c) (i) Except as provided in (c) (ii) of this subsection (1), if the largest city in the county has a population of less than forty percent of the total county population, the county legislative authority must establish in the resolution creating the public facilities district whether the board of directors of the public facilities district has either five or seven members, and the county legislative authority must appoint the members of the board of directors to reflect the interests of cities and towns in the county, as well as the unincorporated area of the county.

(ii) However, if the county has a population of one million five hundred thousand or more, the largest city in the county has a population of less than forty percent of the total county population, and the county operates under a county charter, which provides for an elected county executive, the members of the board of directors must be appointed as follows:

(A) If the public facilities district is created to construct a baseball stadium as defined in RCW 82.14.0485, three members must be appointed by the governor and the remaining members must be appointed by the county executive subject to confirmation by the county legislative authority. Of the members appointed by the governor, the speaker of the house of representatives and the majority leader of the senate must each recommend to the governor a person to be appointed to the board; and

(B) If the public facilities district is created to acquire, own, and operate a convention and trade center, following the expiration of the terms of the initial board of directors, three members must be appointed by the governor, three members must be nominated by the county executive subject to confirmation by the county legislative authority, and three members must be nominated by the mayor of the city in which the convention and trade center is located subject to confirmation by the city legislative authority. Members of the board of directors may not be members of the legislative authority of the county or any city within the county.

(d) The initial board of directors of a public facilities district created in a county of one million five hundred thousand or more to acquire, own, and operate a convention and trade center must be comprised of the nine members of the board of the public nonprofit corporation that transfers the convention and trade center to the public facilities district under RCW 36.100.230. The governor must designate which of the initial board members must serve two-year terms and which must serve four-year terms and identify the board positions

to which successors to initial directors are to be appointed by the county and the city.

(2) At least one member on the board of directors must be representative of the lodging industry in the public facilities district before the public facilities district imposes the excise tax under RCW 36.100.040(1). Of the members of the board of directors of a public facilities district created in a county of one million five hundred thousand or more to acquire, own, and operate a convention and trade center, one of the governor's appointments and one of the county's appointments must be representative of the lodging industry in the public facilities district and one of the city's appointments must be representative of organized labor, except that these requirements do not apply to the initial board of such district.

(3) Members of the board of directors must serve four-year terms of office, except that two of the initial five board members, three of the initial seven board members, and four of the initial nine board members must serve two-year terms of office.

(4) A vacancy must be filled in the same manner as the original appointment was made and the person appointed to fill a vacancy must serve for the remainder of the unexpired term of the office for the position to which he or she was appointed.

(5) Any director may be removed from office by the person or entity that appointed or confirmed such director for any reason or for no reason as follows: A director appointed by the governor may be removed from office by the governor; and any director confirmed by a city or county legislative authority may be removed from office by action of at least two-thirds of the members of the legislative authority that confirmed the director. [2010 1st sp.s. c 15 s 3; 1995 3rd sp.s. c 1 s 302; 1995 1st sp.s. c 14 s 2; 1995 c 396 s 2; 1989 1st ex.s. c 8 s 2; 1988 ex.s. c 1 s 12.]

Findings—Intent—Construction—2010 1st sp.s. c 15: See notes following RCW 36.100.010.

Part headings not law—Effective date—1995 3rd sp.s. c 1: See notes following RCW 82.14.0485.

Severability—Effective dates—1995 1st sp.s. c 14: See notes following RCW 36.100.010.

Severability—1995 c 396: See note following RCW 36.100.010.