

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 5/12/2014

AGENDA ITEM: Amendment of Marysville Municipal Code 2.88 - Disability Board	
PREPARED BY: Kristie Guy, HR Director DEPARTMENT: Human Resources	DIRECTOR APPROVAL:
ATTACHMENTS: 1. Ordinance Amending MMC 2.88, Section 2.88.010 and Section 2.88.020	
BUDGET CODE:	AMOUNT:

SUMMARY:

The attached Ordinance amends Marysville Municipal Code (MMC) Section 2.88.010 - Board established and jurisdiction and Section 2.88.020 - Membership.

Pursuant to the Revised Code of Washington (RCW 41.26.110), MMC Section 2.88.010 was adopted creating a disability board for Law Enforcement Officers and Firefighters within or employed by the city of Marysville. However, upon creation of the Fire District the firefighters ceased to be governed by the Marysville Disability Board.

MMC Section 2.88.020 adopted language designating the composition of the board. The code states that the disability board will consist of five members including one active or retired firefighter to be elected by the firefighters employed by or retired from the city of Marysville. To address agencies that no longer have fire departments, Senate Bill (SB) 5220 was approved effective July 28, 2013. SB 5220 allows for a second active or retired law enforcement officer be elected to replace the firefighter representative on the board.

The revisions to MMC Section 2.88 will update the code to comply with SB 5520.

<p>RECOMMENDED ACTION: Staff recommends that Council Authorize the Mayor's to sign the Ordinance amending MMC 2.88, Sections 2.88.010 and 2.88.020.</p>

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
AMENDING MARYSVILLE MUNICIPAL CODE SECTION 2.88.020
REGARDING MEMBERSHIP OF THE MARYSVILLE DISABILITY BOARD;
PROVIDING FOR SEVERABILITY; AND EFFECTIVE DATE.**

WHEREAS, the City has established a Disability Board pursuant to Chapter 41.26.110 RCW; and

WHEREAS, consistent with state law, the City wishes to update its standards for appointment to the Disability Board;

NOW THEREFORE, the City Council of the City of Marysville, Washington do ordain as follows:

Section 1. Marysville Municipal Code section 2.88.020 is hereby amended to read as follows:

2.88.020 Membership.

(1) The disability board shall consist of the following five members:

~~(a) Two members of the city council to be appointed by the mayor and ratified by the city council;~~

~~(b) One active or retired firefighter to be elected by the firefighters employed by or retired from the city of Marysville;~~

~~(c) One active or retired law enforcement officer to be elected by the law enforcement officers employed by or retired from the city of Marysville;~~

~~(d) One member of the public at large who resides within the city of Marysville shall be appointed by the other four members heretofore designated in this section.~~

(a) Two members of the City Council to be appointed by the Mayor.

(b) Two active or retired law enforcement officer representatives.

(c) One member of the public who resides within the City of Marysville to be appointed by the other members of the disability board who are eligible to vote.

(d) The Human Resources Director shall serve as Board Secretary.

(2) Retired members who are subject to the jurisdiction of the board have both the right to elect and the right to be elected under this section. Elections pursuant to this section shall be conducted and administered by the secretary of the disability board. (3) All members appointed or elected pursuant to this section shall serve a two-year term, with the exception of one police officer member and one council member who on the first term shall only serve a one-year term, and all terms shall expire on the 31st day of December of the last year for which the term is made; provided, that members shall remain in office until their successors are confirmed. Any member who ceases to have the qualifications provided in this section shall be deemed to have forfeited his or her office.

(4) Vacancies occurring otherwise than through the expiration of terms shall be filled for the remainder of the term of the member being replaced. Vacancies shall be filled in the same manner as original appointments.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2014.

CITY OF MARYSVILLE

By _____

Jon Nehring, Mayor

ATTEST:

By _____

April O'Brien, Deputy City Clerk

Approved as to form:

By _____

Grant Weed, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____