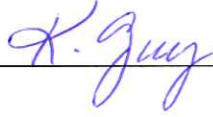


**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 5/12/2014**

AGENDA ITEM: Amending Marysville Municipal Code 2.16.020	
PREPARED BY: Kristie Guy, HR Director DEPARTMENT: Human Resources	DIRECTOR APPROVAL: 
ATTACHMENTS: 1. Ordinance Amending MMC 2.16.020	
BUDGET CODE:	AMOUNT:

**SUMMARY:**

The attached Ordinance amends Marysville Municipal Code (MMC) Section 2.16.020 regarding appointment and qualifications of Civil Service Commission.

MMC Section 2.16.020 created a joint civil service commission for the city police department and fire department. Since the adoption of the code, the fire department has converted to a fire district and ceased to be governed by the joint civil service commission. The amendment will remove the joint commission that includes the fire department and will solely govern the city police department. Additionally, the amendment will eliminate outdated language relating to political affiliation of the commissioners.

The revisions to MMC Section 2.16.020 will update the code to reflect current practice.

**RECOMMENDED ACTION:**

Staff recommends that Council Authorize the Mayor's to sign the Ordinance amending MMC 2.16.020

**CITY OF MARYSVILLE**  
**Marysville, Washington**

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,  
AMENDING MARYSVILLE MUNICIPAL CODE CHAPTER 2.16 RELATING  
TO CIVIL SERVICE; PROVIDING FOR SEVERABILITY; AND EFFECTIVE  
DATE.**

**WHEREAS**, the City has established a Police Civil Service Commission pursuant to Chapter 41.12 RCW; and

**WHEREAS**, cities that establish a Police Civil Service Commission must substantially accomplish the purposes of Chapter 41.12 RCW; and

**WHEREAS**, the City wishes to update its standards for appointment to the Civil Service Commission;

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

**Section 1.** Marysville Municipal Code Chapter 2.16 is hereby amended to read as follows:

**2.16.010 Civil service system established.**

Pursuant to Chapters ~~4.08~~ and ~~4.12~~ 41.12 RCW, a ~~combined~~ civil service system for the police officers of the city of Marysville ~~and the firefighters of the city of Marysville~~ is established for the following purposes:

(1) To provide for promotion on the basis of merit;

(2) To give police officers ~~and firefighters~~ tenure;

(3) To provide for a civil service commission to administer the system and to investigate by public hearing removals, suspensions, demotions and discharges by the appointing power to determine whether such action was or was not made for political or religious reasons and whether it was or was not made in good faith and for cause.

**2.16.020 Appointment and qualifications of civil service commission.**

A ~~joint~~ civil service commission for the city police department ~~and fire department~~ is established, and shall be composed of three members to be appointed by the mayor. The commissioners shall serve without compensation. All commissioners shall be citizens of the United States, residents of the city of Marysville for at least three years immediately preceding their appointment, and electors of Snohomish County. Residence and eligibility to vote within the limits of any territory which has been included in, annexed to, or consolidated with such city is construed to have been

residence within the city. ~~At the time of appointment not more than two commissioners shall be adherents of the same political party.~~ The term of office of such commissioners shall be six years; said terms shall be staggered so that not more than one expires each two years. Any member of the commission may be removed from office for incompetency, incompatibility or dereliction of duty, or malfeasance in office, or other good cause.

**2.16.030 Powers and duties of commission.**

The civil service commission shall have all powers and duties specified in RCW ~~41.08.040 and~~ 41.12.040. It shall adopt civil service rules and regulations which substantially accomplish the purposes of Chapters ~~41.08 and~~ 41.12 RCW. The duty of the civil service commission to approve payrolls of police ~~and fire~~ personnel is delegated to the city finance officer; provided, that the civil service commission shall retain the power to disapprove payroll disbursement to police ~~or fire~~ personnel in cases where such personnel, or their appointment to the classified service, violate civil service rules and regulations.

**2.16.040 Eligibility for participation in civil service system.**

All full-paid, uniformed and commissioned employees of the police department ~~and fire department~~, including communications officers, custody officers, animal control officers and parking officers, but excluding the chief of police, clerical employees, mechanics and community service officers, shall be included in the classified civil service and shall be participants in the civil service system; provided, that such employees must first successfully qualify for permanent employment to a classified position. An employee on disability leave shall remain subject to the civil service system until such time as he or she receives disability retirement and reaches the age of 50.

**2.16.050 State law adopted by reference.**

Provisions of Chapters ~~41.08 and~~ 41.12 RCW are adopted by reference, except to the extent that they are inconsistent with the provisions of this chapter or the rules and regulations adopted by the Marysville civil service commission, in which event this chapter and said rules and regulations shall prevail.

**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): \_\_\_\_\_