

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 9/14/15**

<b>AGENDA ITEM:</b> An Ordinance of the City of Marysville Amending Section 2.24.030(5) of the Marysville Municipal Code -	
<b>PREPARED BY:</b> Sandy Langdon, Finance Director	<b>DIRECTOR APPROVAL:</b>
<b>DEPARTMENT:</b> Finance	
<b>ATTACHMENTS:</b> Draft Ordinance; Current 2.24 MMC	
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>
<b>SUMMARY:</b>	

Per RCW 3.50.080 requires that salaries of municipal court judges be fixed by ordinance. RCW 2.56.030 requires a city to certify that municipal court judges are elected and will be compensated between 95% and 100% of district court judges' salary in order for the city to receive partial funding of judicial salaries from the state. MMC 2.24.030(5) currently states the compensation at a rate equivalent to at least 95%, but not more than 100%. The Administrative Office of the Courts recommends setting the ordinance at a specific rate.

The district court judges' salary is reviewed annually by the Washington Citizens' Commission on Salaries for Elected Officials. Any adjustments become effective as of September 1<sup>st</sup>.

The City has historically compensated the municipal court judge at 95% of a district court judge's salary. A review of other municipal courts' has resulted at the same levels.

Therefore, the ordinance proposes setting the municipal court judge salary at 95% of the salary of a district judge's as set by the Washington Citizens' Commission on Salaries for Elected Officials.

<b>RECOMMENDED ACTION:</b> Consider authorizing the approval of an Ordinance of the City of Marysville amending section 2.24.030(5) of the Marysville Municipal Code.
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CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING SECTION 2.24.030(5) OF THE MARYSVILLE MUNICIPAL CODE, ESTABLISHING SALARY FOR MUNICIPAL COURT JUDGE, PROVIDING FOR SEVERABILITY; AND EFFECTIVE DATE.**

WHEREAS, RCW 3.50.080 requires that the salary for municipal court judges be established by ordinance; and

WHEREAS, the city is eligible to receive partial funding for municipal court judge salaries if it complies with the requirements in RCW 2.56.030 which includes a requirement to set the municipal court judge's salary at a rate equivalent to at least ninety-five percent, but not more than one hundred percent, of a district court judge salary; and

WHEREAS, the salary of district court judges is set by the Washington Citizens' Commission on Salaries for Elected Officials; and

WHEREAS, City has historically compensated the municipal court judge at 95% of a district court judge's salary and this is consistent with other cities' practices.

WHEREAS, The City Council desires that the Marysville Municipal Court Judge's salary be adjusted automatically to reflect future adjustments made by the Washington Citizen's Commission on Salaries for Elected Officials.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Section 2.24.030 of the municipal code is amended as set forth in Exhibit "A."

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 September 2015.

CITY OF MARYSVILLE

By \_\_\_\_\_  
MAYOR

Attest:

By \_\_\_\_\_  
CITY CLERK

Approved as to from:

By \_\_\_\_\_  
CITY ATTORNEY

Date of publication: \_\_\_\_\_

Effective Date (5days after publication): \_\_\_\_\_

# EXHIBIT A

## **2.24.030 Municipal judge – Qualifications – Appointment.**

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(1) The term of office of the first municipal judge shall expire on January 1, 1986. The term of office thereafter shall be four years, commencing on January 1st of each fourth year after 1986. Appointments shall be made on or before December 1st of the year next preceding the year in which the term commences.

(2) The position of a full-time municipal judge shall be filled by election for the term commencing on January 1, 2010, and every four years thereafter. The municipal judge shall be elected in the same manner as other elective city officials are elected to office. The term of the municipal judge shall be for four years. Nothing in this section shall limit the mayor's authority to fill the position of municipal judge pursuant to MMC [2.24.060](#).

(3) Additional Judges. Additional full- or part-time municipal judge positions may be filled when the public interest and the administration of justice make such additional judge or judges necessary, and so long as that procedure is in compliance with state statutes, such as RCW [3.50.055](#).

(4) On or before April 1, 2010, the mayor may appoint an additional part- or full-time judge for the term commencing January 1, 2010, and expiring December 31, 2013. Said additional judicial position shall be an elected position and shall be filled by election for any subsequent term.

(5) ~~The elected position(s) of a full-time municipal judge shall be compensated at a rate equivalent to at least 95 percent, but not more than 100 percent, of a district court judge salary or, for a part-time judge, on a pro rata basis the same equivalent.~~ Commencing September 1, 2015, and thereafter on the first day of September of each successive year, the salary paid the Marysville Municipal Court Judge shall automatically be adjusted to a rate equivalent to 95% of a district court judge salary as set by the Washington Citizens' Commission on Salaries for Elected Officials for the succeeding year.

(6) A person elected or appointed as municipal judge shall be a citizen of the United States of America and of the state of Washington and a resident of Snohomish County, and an attorney admitted to practice law before the courts of record of the state of Washington.