

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: February 25, 2019

AGENDA ITEM: Judicial Salary	AGENDA SECTION:	
PREPARED BY: Suzanne Elsner, Court Administrator	AGENDA NUMBER:	
ATTACHMENTS: Ordinance	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The Washington State Salary Commission recently changed the salary increase from September 1st to July 1st. The previous ordinance in relation to Marysville Municipal Court Judges salary referenced the September 1st date. In order to remain in compliance with the Administrative Office of the Court to receive judicial salary reimbursement the ordinance needed to be corrected to the July 1st date.

RECOMMENDED ACTION: Authorize the Mayor to sign the ordinance to change the judicial salary increase to the July 1 st date.
COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING SECTION 2.24.030(5) OF THE MUNICIPAL CODE, ESTABLISHING THE DATE FOR ADJUSTING SALARY FOR MUNICIPAL COURT JUDGES, PROVIDING FOR SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, RCW 3.50.080 requires that the salary for municipal court judges be set 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 the 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's salary; and

WHEREAS, the municipal code provides that municipal judge salaries are equal to one hundred percent of a district court judge's salary; and

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

WHEREAS, historically district court judge salaries have been adjusted effective September 1st and the municipal code provides that the municipal court judge salaries are adjusted on the same date; and

WHEREAS, after completing a salary study of judicial salaries, the Salary Commission will adjust district court judge salaries on July 1st in 2019 and 2020; and

WHEREAS, to ensure that the salaries of the municipal court judges remain in compliance with the requirements of RCW 2.56.030 and the city remains eligible for partial funding from the state, the municipal code should be amended to reflect the new adjustment date established by the state.

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

SECTION 1. Amendment of the Municipal Code. The Marysville 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. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 4. **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 _____, 2019.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
TINA BROCK, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY

Date of publication: _____
Effective Date (5 days after publication): _____

Exhibit A

2.24.030 Municipal judge – Qualifications – Appointment.

(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) Commencing September 1, 2016, and thereafter on the first day of ~~September~~ July of each successive year or such other date as is established by the state for adjusting district court judge salaries, the salary paid the Marysville municipal court judge shall automatically be adjusted to a rate equivalent to 100 percent 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.