

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 3/28/2022

AGENDA ITEM:	
Amending Municipal Code in Regard to Official Bonds	
PREPARED BY:	DIRECTOR APPROVAL:
Jon Walker	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
SUMMARY:	

State law requires three city employees – the city treasurer, city clerk, and police chief -- to maintain an official bond conditioned on the honest and faithful performance of their official duties. The city also currently requires the municipal court judges by ordinance to maintain an official bond, but is not required to do so by statute. The bonds are duplicative of insurance that the city maintains for its officers and operations. Accordingly, we recommend that the city require bonds only for those officials for which state law requires a bond.

The current code regarding bonds refers to the Washington Cities Insurance Authority (WCIA) and the City is no longer a member of WCIA, so we recommend eliminating references to WCIA.

RECOMMENDED ACTION: Staff recommends Council consider amending the municipal code to eliminate references to WCIA and to repeal requirements for officials to maintain an official bond unless required by statute.

RECOMMENDED MOTION: I move to adopt Ordinance No. _____

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, AMENDING THE MUNICIPAL CODE REGARDING
OFFICIAL BONDS.**

WHEREAS, state law requires three city employees – the city treasurer, city clerk, and police chief -- to maintain an official bond conditioned on the honest and faithful performance of their official duties; and

WHEREAS, the city currently requires the municipal court judges to maintain an official bond, but is not required to do so by statute; and

WHEREAS, the City maintains insurance for its officers and operations; and

WHEREAS, the current code regarding bonds refers to the Washington Cities Insurance Authority (WCIA) and the City is no longer a member of WCIA; and

WHEREAS, eliminating the requirement for the judges to have an official bond and amending the municipal code to eliminate the reference to WCIA is a prudent use of city resources.

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

SECTION 1. Repeal. Section 2.24.085 is repealed as set forth in Exhibit A.

SECTION 2. Amendment. Sections 2.30.055, 2.35.055, and 2.48.02 are amended as set forth in Exhibit A.

SECTION 3. 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 4. 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 _____, 2022.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
_____, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY

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

EXHIBIT A

2.30.055 Blanket bond coverage.

The city clerk, before entering upon the discharge of his/her official duties, shall enter into an individual faithful performance bond in the amount of not less than \$10,000 with a surety approved by the mayor. The premium on such individual faithful performance bond shall be paid by the city.

2.35.055 Blanket bond coverage.

The finance director, before entering upon the discharge of his/her official duties, shall enter into an individual faithful performance bond in the amount of not less than \$10,000 with a surety approved by the mayor. The premium on such individual faithful performance bond shall be paid by the city.

2.48.020 Police chief.

The police chief shall be the commander and administrative head of the police department. The chief shall be responsible, through the city administrator, to the mayor and city council. In the absence of the police chief the command of the department shall be assumed by the next highest ranking officer of the department, unless otherwise specified by written directive from the police chief with the concurrence of the mayor or city administrator. Pursuant to RCW [41.12.050](#), all individuals hired and appointed as police chief after the effective date of Ordinance 2124 are hereby excluded from the classified civil service. Such individuals shall be employed by the city pursuant to the terms of an employment contract between the city and the police chief.

The police chief, before entering upon the discharge of his/her official duties, shall enter into an individual faithful performance bond in the amount of not less than \$10,000 with a surety approved by the mayor. The premium on such individual faithful performance bond shall be paid by the city.