

ORDINANCE NO. 4927

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CREATION OF A CITY DISABILITY BOARD FOR LEOFF PLAN 1 RETIREMENT SYSTEM MEMBERS WITH JURISDICTION OVER POLICE OFFICERS AND FIREFIGHTERS OF THE CITY OF ELLENSBURG PURSUANT TO RCW 41.26.110 AND ADDING A NEW CHAPTER “1.90 LEOFF 1 DISABILITY BOARD” TO THE ELLENSBURG CITY CODE.

WHEREAS, Washington law requires cities with a population of twenty thousand or more which have employed uniformed police and/or fire employees between 1970 and October 1, 1977 (referred to as LEOFF 1 members) to establish a disability board to consider disability retirement and medical claims; and

WHEREAS, pursuant to RCW 43.62.030 , the State Office of Financial Management (OFM) in June 2022 determined the City's population is greater than twenty thousand thereby requiring the City to establish a LEOFF 1 Disability Board.

NOW, THEREFORE, the City Council of the City of Ellensburg, State of Washington, does ordain as follows:

Section 1. A new chapter entitled “1.90 LEOFF 1 Disability Board” is hereby added to the Ellensburg Municipal Code to read as follows:

**Chapter 1.90
LEOFF 1 DISABILITY BOARD**

Sections

- 1.90.010 Establishment – membership**
- 1.90.020 Terms – vacancies**
- 1.90.030 Duties and powers**
- 1.90.040 Officers, quorum and meetings**
- 1.90.050 Compensation – expenses**

1.90.010 Establishment—membership.

A. Pursuant to RCW 41.26.110, the Ellensburg LEOFF 1 Disability Board (the “Disability Board”) is established.

B. The Disability Board shall be composed of the following five members:

1. Two members of the City Council who shall be appointed by the mayor,
2. One firefighter and one law enforcement officer. The firefighter and law enforcement officer are to be elected to their positions. The electors of such members shall be limited to commissioned law enforcement officers who are employed by or retired from the City

and who are themselves subject to the jurisdiction of the Disability Board. The pool of electable candidates for membership on the Disability Board shall consist of all commissioned officers currently employed by or retired from the City or as otherwise specified in RCW 41.26.110(b).

3. One at-large member, who shall be a city resident and is appointed by a majority vote of the other members.

1.90.020 Terms —vacancies.

All members appointed or elected pursuant to this section shall serve a two-year term, with the exception of the law enforcement member and one City Councilmember who, on the first term, shall only serve a one-year term. All terms shall expire on the 31st day of December of the last year for which the term is made, provided each member shall hold office until a successor is appointed or elected. Any member who ceases to have the qualifications provided in this section shall be deemed to have forfeited his or her office. The city manager or designee is delegated the authority to require elections pursuant to this section be held in a timely manner and in accordance with state law.

1.90.030 Duties and powers.

The Disability Board shall perform all functions, exercise all powers and make such determinations as specified in Chapter 41.26 RCW, and Chapters 415-104 and 415-105 of the Washington Administrative Code, as currently enacted or hereafter amended. The Disability Board may adopt reasonable rules and regulations consistent with state law to carry out its authority and to govern the manner and form of filing, presentations, and hearings before the Disability Board.

1.90.040 Officers, quorum and meetings.

A. The members of the Disability Board shall at the first meeting of the year, or the first meeting after appointments have occurred if the Disability Board desires, select from among their members a Chairperson and Chairperson Pro Tem, and such other officers as may be necessary, who shall serve in that capacity for a one-year term. The presence of three members of the Disability Board shall be required to constitute a quorum for the transaction of business. The Disability Board shall meet regularly at a scheduled time and place established by the Disability Board. Regular meetings may be canceled if there is no business pending before the Disability Board.

B. The city manager, at his/her discretion, shall designate a city employee to provide administrative support to the Disability Board.

1.90.050 Compensation — expenses.

Members of the Disability Board shall serve without compensation for their service, but members shall be reimbursed for all expenses incidental to such service in the manner and amount as authorized by law.

Section 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including but not limited to the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 16th day of October, 2023.



MAYOR


CITY CLERK

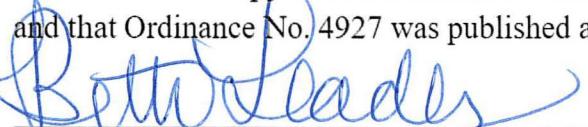
Approved as to form:



CITY ATTORNEY

Publish: 10-19-2023

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4927 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4927 was published as required by law.



BETH LEADER