

ORDINANCE NO 1488

AN ORDINANCE OF THE CITY OF LYNDEN AMENDING ORDINANCE
NO. 1433 AND RATIFYING 2014 WAGE INCREASE IN FIRE CHIEF'S
AND ASSISTANT FIRE CHIEF'S SALARY.

WHEREAS, pursuant to RCW 35A.12.020, the City of Lynden ("City") establishes the salary levels of its appointed officers by ordinance, which may be revised; and

WHEREAS, the City is required to extend the benefits of the Social Security System to its employees and officers per Lynden Municipal Code 2.16; and

WHEREAS, firefighters are City employees eligible to opt out of the Social Security System should they so choose; and

WHEREAS, the represented City Firefighters voted in December 2013 to opt out of the Social Security System; and

WHEREAS, the Fire Chief and Assistant Fire Chief also voluntarily chose to opt out of Social Security and receive the City's payment of Social Security as wages, beginning in 2014; and

WHEREAS, beginning effective January 1, 2014, the Fire Chief and Assistant Fire Chief received additional wages in lieu of and equal to the payment amount that would have been made into their respective Social Security accounts; and

WHEREAS, the 2014 payment of additional wages to the Fire Chief and Assistant Fire Chief in an amount equal to the City's contribution that would have been made into their respective Social Security accounts for 2014 was not authorized by Council ordinance; and

WHEREAS, the City wishes to ratify and approve the additional wages paid to the Fire Chief in salary in lieu of payment into said employee's Social Security Account in 2014; and

WHEREAS, the City wishes to ratify and approve the additional wages paid to the Assistant Fire Chief in salary in lieu of payment into said employee's Social Security Account in 2014; and

WHEREAS, pursuant to City Employee Handbook Policy 4.80, Wage and Salary Administration and Pay Schedule, the Fire Chief received "longevity" pay in the amount of eighty dollars (\$80.00) per month beginning November 1, 2013; and

WHEREAS, nothing herein is intended to affect any current salary established in Ordinance No. 1475 or by any other lawful means, effective on or after January 1, 2015;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNDEN, WASHINGTON, DOES ORDAIN THAT:

Section A. Section 9 of Ordinance 1433 shall be amended to add the following sentence at the end:

The salary of the Fire Chief shall be equal to SEVEN THOUSAND SIX HUNDRED EIGHTY-NINE AND NO/100THS DOLLARS (\$7689.00), plus longevity in the amount of EIGHTY DOLLARS AND NO/100THs (\$80.00), plus the City's former contribution to said employees' Social Security account which is an additional 6.2%, for a total salary amount of EIGHT THOUSAND ONE HUNDRED SEVENTY AND 68/100THS DOLLARS (\$8,170.68), per month, effective January 1, 2014.

Section B. The salary of the Assistant Fire Chief shall be equal to SIX THOUSAND SIX HUNDRED SEVENTY SIX AND NO/100THS DOLLARS (\$6,676.00), plus the City's former contribution to said employees' Social Security account which is an additional 6.2%, for a total salary amount of SEVEN THOUSAND EIGHTY NINE AND 91/100THS DOLLARS (\$7,089.91), per month, effective January 1, 2014. This establishes the Assistant Fire Chief's monthly salary for calendar year 2014.


Section C. Nothing herein shall amend or replace any compensation ordinance enacted subsequent to Ordinance 1433.

Section D. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section E. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section F. This ordinance shall be in full effect five (5) days after its passage, approval and publication as provided by law.

PASSED by the City Council this 2 day of November, 2015. Signed by the Mayor on this 3 day of November, 2015.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY