

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6455

AN ORDINANCE amending the Bellevue City Code Sections 3.72.010, 3.72.020, and 3.72.030 addressing the rank of police department officers covered by the civil service.

WHEREAS, the state legislature amended RCW 41.12.050 to authorize a city police chief to make an initial selection of specific positions to be in the unclassified service and exempt from civil service;

WHEREAS, the City of Bellevue Chief of Police has provided the Civil Service Commission with notice of his initial selection of specific positions to be in the unclassified service and exempt from civil service pursuant to RCW 41.12.050(3);

WHEREAS, the Chief of Police's initial selection of unclassified positions exempts the ranks of Police Major and Police Assistant Chief from the classified civil service;

Now therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES  
ORDAIN AS FOLLOWS:

Section 1. Section 3.72.010 of the Bellevue City Code is hereby amended to read as follows:

**3.72.010 Commission established.**

To substantially accomplish the purpose of Chapters 41.08 and 41.12 RCW, there is created a civil service commission to be composed of five members appointed by the city manager to exercise the powers and perform the duties established by state law and this chapter in connection with the selection, appointment, promotion, demotion and employment of firefighters below the rank of chief and police officers below the rank of police major.

Section 2. Section 3.72.020 of the Bellevue City Code is hereby amended to read as follows:

**3.72.020 Coverage.**

Except as hereinafter specifically provided, and except as may be otherwise provided by the Rules and Regulations of the Civil Service Commission, the

provisions of Chapters 41.08 and 41.12 RCW shall control the commission; the selection, appointment, promotion, demotion and employment of firefighters below the rank of chief and police officers below the rank of police major, and all other aspects of fire and police civil service.

Section 3. Section 3.72.030 of the Bellevue City Code is hereby amended to read as follows:

**3.72.030 Exceptions.**

Notwithstanding anything in Chapters 41.08 and 41.12 RCW to the contrary:

A. In addition to any opportunity afforded the appointing authority to exercise a choice in the filling of a vacancy by the terms of Chapters 41.08 and 41.12 RCW, whenever requisition is made upon the commission for the names of persons eligible for appointment to any vacancy, the following will occur:

1. For original entry and lateral police officer and fire fighter appointments the commission, instead of furnishing the name of the one person highest on any eligibility list, shall certify to the appointing authority the names of the five persons highest on such list if there are such persons available. The appointing authority shall forthwith appoint one of the certified persons to such vacant position.

2. For promotional appointments, the commission, instead of furnishing the name of the one person highest on any eligibility list, shall certify to the appointing authority the names of the three persons highest on such list, if there are such persons available. The appointing authority shall forthwith appoint one of the certified persons to such vacant position.

B. The chief of police shall have the complete discretion, not subject to civil service appeal, in:

1. The selection of any member of the police department to be assigned to a vacancy in the position of detective or juvenile officer, even though such position enjoys special compensation; provided, however, that such assignment shall in no case involve a decrease in salary or classification; and

2. Transfer of any member of the police department from the position of detective or juvenile officer; provided, however, that such transfer shall in no

case involve a decrease in salary or classification, except the loss of any special compensation enjoyed by such position.

C. The civil service commission shall have the power to establish the length of time firefighters below the rank of chief and police officers below the rank of police major must serve on a probationary status and shall establish such length of time pursuant to its rules and regulations; provided, in no case shall the probationary time period determined by the civil service commission to apply to police department employees or fire department employees exceed one year.

D. Temporary or provisional appointments may continue for, but shall not exceed, six months. No person shall receive more than one temporary or provisional appointment or serve more than six months as either a temporary or provisional appointee in any one fiscal year. In addition, the appointing authority shall have the power in emergencies to appoint employees to fill vacant promotional positions in an acting capacity for the duration of the emergency. Such appointments shall be denominated "acting appointments" and shall not be included in determining the permissible number of, or period for, temporary or provisional appointments.

E. No acting appointments shall be continued and no person shall be employed in an acting position for more than the duration of the current certified civil service promotional list. Time served in a continuous acting capacity shall be credited towards the employee's probationary period for the rank serviced in an acting capacity and shall be used in computing any privileges accruing under civil service law or these rules, if a vacancy occurs within the period that the acting member is assigned. The provisions of this subsection apply to fire department employees only. If this subsection conflicts with the provisions of any other subsection, the provisions of this subsection shall control.

Section 4. This Ordinance shall take effect and be in force five (5) days after its passage and legal publication.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2019  
and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_,  
2019.

(SEAL)

\_\_\_\_\_  
John Chelminiak, Mayor

Approved as to form:  
Kathryn L. Gerla, City Attorney

\_\_\_\_\_  
Cindy Lin, Assistant City Attorney

Attest:

\_\_\_\_\_  
Charmaine Arredondo, City Clerk

Published \_\_\_\_\_