

ORDINANCE 3405

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE CIVIL SERVICE COMMISSION, AND AMENDING SECTIONS 3.54.020(9) AND 3.54.080 OF THE KIRKLAND MUNICIPAL CODE.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Subsection 3.54.020(9) of the Kirkland Municipal Code is hereby amended to read as follows:

(9) When a vacant position is to be filled, to certify to the appointing authority, on written request, the names of [~~the three persons highest on the eligible list~~] those persons in the top twenty-five percent (25%) of the eligible list, or the top three (3) persons, whichever number is larger, for the class. If there are no such lists, the commission shall make provision in their rules for provisional or temporary appointments for such positions. Such temporary or provisional appointment shall not exceed a period of six months in duration but may be extended for up to an additional six months if for any reason it cannot be determined at the expiration of the initial appointment that the position being filled by temporary or provisional appointment will in fact be vacant, such as in the instance of a position vacant due to an officer on disability leave under the LEOFF Act, or for other good cause which in the discretion of the commission warrants an additional extension of such a provisional or temporary appointment.

Section 2. Section 3.54.080 of the Kirkland Municipal Code is hereby amended to read as follows:

3.54.080 Filling of vacancies--
-Probationary Period.
Whenever a position in the
classified service becomes vacant, the

appointing authority, if it desires to fill the vacancy, shall make requisition upon the commission for the names and addresses of the persons eligible for appointment thereto. The commission shall certify the names of ~~[the three persons highest on the eligible list]~~ those persons in the top twenty-five (25%) of the eligible list, or the top three (3) persons, whichever number is larger, for the class to which the vacant position has been allocated, who are willing to accept employment. If there is no eligible list for the class, the commission shall either establish such a list as provided in this chapter or otherwise determine what list shall be deemed appropriate for such class. The commission shall then certify the names of the ~~[three persons standing highest on said list]~~ those persons in the top twenty-five (25%) of the eligible list, or the top three (3) persons, whichever number is larger. If more than one vacancy is to be filled an additional name shall be certified for each additional vacancy. The appointing authority shall, after review of the persons so certified, appoint one person to each such vacant position. If any person certified by the commission is removed from the list or otherwise requests to not be considered for appointment the commission shall forthwith certify the next highest person on the list to replace those removed. The commission, in its rules, shall establish a procedure for removal of names from the eligibility list either prior to or subsequent to certification to the appointing authority. Whenever requisition is to be made, or whenever a position is held by a temporary appointee and an eligible list for the class of such position exists, the commission shall forthwith certify the names of the persons eligible for appointment to the appointing power, and said appointing power shall appoint one person so certified, provided he/she is found to in fact be qualified, to

said position. To enable the appointing authority to exercise a choice in the filling of the position, no appointment, employment or promotion in any position in the classified service shall be deemed complete until after the expiration of a period of one year probationary service, as shall be provided in the rules of the civil service commission during which the appointing power may terminate the employment of the person certified to him/her, if during the performance test thus afforded, upon observation or consideration of the performance of duty, the appointing authority deems him/her unfit or unsatisfactory for service in the department, whereupon the appointing authority shall designate one of the persons certified as standing [~~within the next three persons highest~~] in the top twenty-five percent (25%) or top three (3) on any such list and such persons shall likewise enter upon said duties until some person is found who is deemed fit for appointment, employment or promotion for the probationary period provided therefor, whereupon the appointment, employment or promotion shall be deemed to be complete. The commission shall provide a procedure in its rules for extending probations for up to an additional six months if requested by the appointing authority.

Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Any acts made consistent with the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

Section 5. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017,

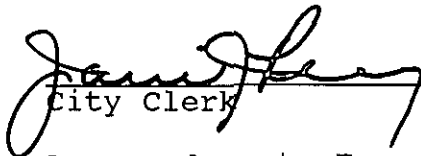
Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 15th day of February, 1994.

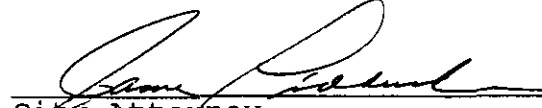
Signed in authentication thereof this 15th day of February, 1994.


MAYOR PRO TEM

Attest:


City Clerk

Approved as to Form:


City Attorney
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X. APPOINTMENT

Section 1: Procedure. All vacancies in the classified service shall be filled either by original appointment, temporary appointment, reemployment, promotion, transfer or demotion. Upon being advised by the appointing authority as to the type of appointment to be made, the Secretary and Chief Examiner shall ~~[certify eligibles, in accordance with the Civil Service Ordinance and these rules]~~, if there are eligibles on a list which the Secretary and Chief Examiner deems appropriate, certify to the appointing authority the names of those persons in the top twenty-five percent (25%) of the eligible list, or the top three (3) persons, whichever number is larger. The appointing authority, after consideration of ~~[the eligibles]~~ those persons so certified, shall have the authority to appoint one ~~[of the top three applicants on]~~ such person to the [eligibility list for each] position declared vacant. ~~[For entry-level firefighter positions, the appointing authority shall have the top 25% of the eligible list or the top 3 applicants, depending on which produces the greater number of applicants, to select from for each position declared vacant.]~~

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IX. ELIGIBLE LISTS

Section 2: Effective Life of Lists. Eligibility lists shall become effective upon the approval thereof by the Secretary and Chief Examiner's signature to the effect that the list was legally prepared and represents the relative rating of the names appearing thereon. Eligibility lists, including promotional lists, [~~but-excluding-entry-level Firefighter-lists,~~] shall remain in effect for not more than [~~six~~] twelve months with an option to extend the life of the list for an additional six months or unless otherwise ordered by the Commission. [~~Entry-level-Firefighter-lists will-remain-in-effect-for-12-months,-with-the-option-to-extend-the-life-of-the-list-for-an-additional-six-months-or-unless-otherwise-ordered-by-the-Commission.~~]

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PUBLICATION SUMMARY OF ORDINANCE NO. 3405

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE CIVIL SERVICE COMMISSION, AND AMENDING SECTIONS 3.54.020(9) AND 3.54.080 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Revise KMC subsection 3.54.020(9) relating to creation of Civil Service eligible lists.

SECTION 2. Revise KMC section 3.54.080 relating to the filling of vacancies in the classified service.


SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Provides a ratification clause for the ordinance.

SECTION 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its regular meeting on the 15th day of February, 1994.

I certify that the foregoing is a summary of Ordinance 3405 approved by the Kirkland City Council for summary publication.


City Clerk
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