



RESOLUTION NO. 23-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING A CONFIRMATION PROCESS FOR APPOINTMENT OF LYNNWOOD CHIEF OF POLICE WHICH PROCESS SHALL INCLUDE THE WAIVING THE REQUIREMENT IN LMC 2.06.030 FOR THE REFERRAL OF THREE CANDIDATES FOR APPOINTMENT TO LYNNWOOD CHIEF OF POLICE AND AUTHORIZING THE REFERRAL OF TWO CANDIDATES FOR APPOINTMENT OF LYNNWOOD CHIEF OF POLICE.

WHEREAS, the City of Lynnwood Police Chief (hereafter "Chief") retired from service in June 2023 and the City must appoint a new Chief; and

WHEREAS, the Chief is an appointed position pursuant to LMC 2.36.030(A) which states that "The police chief shall be appointed by the mayor, subject to a city council confirmation process in Chapter 2.06 LMC which includes, but is not limited to, a majority vote of the city council"; and

WHEREAS, LMC 2.06.020 states "[a]ny appointive officials or employees named in LMC 2.06.010 shall be subject to a confirmation process established by a city council resolution or motion, which for the referred candidates may include, but is not limited to: interviews, review of document submissions, open questions, and a hearing before the city council; provided, any interviews, questioning, or hearings before a majority of the members of the city council shall take place only in executive session to the extent permitted by the executive session provisions of the state's Open Meetings Act"; and

WHEREAS, LMC 2.06.030 contemplates that the resolution or motion establishing a confirmation process pursuant to LMC 2.06.020 will include the referral of three candidates for appointment, but LMC 2.06.030 authorizes changes to the number of referrals for the confirmation process if based upon "substantial justification acceptable to the council"; and

WHEREAS, the City Council herein establishes a confirmation process for the appointment of Chief which includes interviews and questions presented to the candidates by the City Council conducted in executive session; provided, no voting, decision-making, or selection of the Chief shall occur in executive session but shall occur in a meeting open to the public, and the confirmation process shall include the referral of two, not three, candidates for appointment to Lynnwood Police Chief; and

WHEREAS, the referral of two, not three, candidates for appointment to Chief results from the willingness of only two candidates, not three, to be considered for appointment to Chief; the City Council finds that the willingness of only two candidates to be considered for appointment constitutes "substantial justification" for the referral of only two candidates;

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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RESOLVES AS FOLLOWS:

1. Findings of Fact. The foregoing recitals set forth as “WHEREAS” clauses are incorporated herein by this reference as findings of fact.

2. Confirmation Process. The confirmation process for appointment of Chief shall include interviews and questions presented to the candidates by the City Council conducted in executive session; provided, no voting, decision-making, or selection of the Chief shall occur in executive session but shall occur in a meeting open to the public, and the confirmation process shall include the referral of two, not three, candidates for appointment to Lynnwood Police Chief.

PASSED by the City Council this 24th day of July, 2023.

DocuSigned by:
Christine Frizzell 7/26/2023
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Christine Frizzell, Mayor

ATTEST/AUTHENTICATED:

DocuSigned by:
Luke Lonie
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Luke Lonie, City Clerk