

ORDINANCE NO. 919

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING TITLE 2, ADMINISTRATION, OF THE SHORELINE MUNICIPAL CODE TO CREATE A NEW CHAPTER 2.70 RELATED TO SALARIES AND BENEFITS; ESTABLISHING A SALARY COMMISSION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, following its incorporation, the Shoreline City Council adopted Ordinance No. 7 in 1995 that established Council salaries at the level authorized by RCW 35A.13.040, \$400 per month, with \$500 per month paid to the Mayor; and

WHEREAS, Ordinance No. 122, which was adopted in 1997, amended Councilmembers' salaries to \$700 per month, with the Councilmember serving as Mayor paid a salary of \$875 per month, all in accordance with RCW 35A.12.070; and

WHEREAS, Ordinance No. 287, which was adopted in 2001, provided a benefit plan for the Mayor, Deputy Mayor and City Council that provides either health insurance or in lieu retirement benefits in the form of a cash contribution to a 457-retirement account; and

WHEREAS, Ordinance No. 673, which was adopted in 2013, amended Councilmembers' salaries to \$1,000 per month, with Councilmembers serving as the Deputy Mayor and Mayor receiving an additional \$100 and \$250 per month respectively, with said salaries paid twice monthly on regular City paydays, all in accordance with RCW 35A.12.070; and

WHEREAS, as an alternative to a city council adopting its own salary rates from time to time, both Article XXX of the Washington Constitution and RCW 35.21.015 authorize a city council to establish an independent salary commission, by ordinance, which salary commission may be authorized to set the salary, benefits, and the 457 deferred compensation contribution; and

WHEREAS, the compensation provided to the Mayor, Deputy Mayor and Councilmembers should reflect a reasonable and fair remuneration for the time, effort and expenses incurred in the performance of their duties; and

WHEREAS, setting the level of compensation should include an evaluation of the requirements and duties of the Councilmembers, which include representing the needs and interests of all members of the Shoreline community at regular and special meetings, as well as duties that often extend beyond the weekly Council meetings, such as serving on regional or national committees, representing the City on cross-jurisdictional commissions, participating in state and national conferences, and attending additional regular meetings with City staff and community members; and

WHEREAS, the compensation should also consider and reflect the City of Shoreline's affirmative commitment to continue to build a community that embraces diversity, encourages participation, promotes equity, and strives to remove any and all barriers that may hinder, deter, or create inequities to those desiring to directly participate in the governing process; and

WHEREAS the City Council desires to have an independent commission composed of citizens from the community determine its salaries and benefits based on comparative market data along with the above listed considerations; and

WHEREAS, the City Council desires to amend the Shoreline Municipal Code (SMC) to add a new Chapter 2.70 in order to establish an independent salary commission to periodically review and increase or decrease the salary and benefits of the Mayor, Deputy Mayor and members of the City Council;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 2.70 entitled "Salary Commission" is added to the Shoreline Municipal Code to read as follows:

**CHAPTER 2.70
COMPENSATION AND SALARY COMMISSION**

Sections:

- 2.70.010 Salary Commission Established**
- 2.70.020 Salary Commission – Qualification and Conditions**
- 2.70.030 Salary Commission – Membership and Term**
- 2.70.040 Salary Commission – Duties**
- 2.70.050 Salary Commission – Meetings**
- 2.70.060 Salary Schedule Effective Date**

2.70.010 Salary Commission Established.

A. A Salary Commission is hereby established, to review, establish, and adjust the salaries and benefits for the elected and appointed officials of the City (Mayor, Deputy Mayor and City Councilmembers), and exercise powers and perform the duties established by RCW 35.21.015 as it now exists or is hereafter amended. The Salary Commission shall not be a standing commission. Commission members shall be appointed as provided in Section 2.70.030 once every four years commencing in 2022. The Commission may be filled at any time in the interim years as directed by the City Council by resolution.

2.70.020 Salary Commission - Qualifications and Conditions.

- A. Members must be a resident of the City and a registered voter of King County.
- B. No officer, official, or employee of the City or any of their immediate family members may serve on the Commission. "Immediate family member" as used in this subsection means the

parents, spouse, siblings, children, or dependent relatives of the officer, official or employee, whether or not living in the household of the officer, official or employee.

2.70.30 Salary Commission – Membership and Term.

- A. Number of Members. The Commission shall consist of three (3) members.
- B. Appointment. Members shall be appointed by the Mayor subject to confirmation by the City Council, in conformance with RCW 35.21.015 as it now exists or is hereafter amended.
- C. Terms. Members of the Commission shall serve for a term of no more than one year, which shall commence when the last of the three Commission members has been appointed and confirmed and cease when the review of salaries, insurance benefits and compensation in lieu of insurance benefits is complete and a Salary Schedule has been filed with the City Clerk or until any determination is made that no salary or benefit adjustment is appropriate. No member may be appointed to more than two (2) terms on the Commission, whether or not those terms are held consecutively.
- D. Quorum. Three members shall constitute a quorum.
- E. Removal. Commission members may only be removed by the Mayor during their term of office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence, revocation, or other loss of voter registration.
- F. Vacancies. Vacancies occurring shall be filled in the same manner as the original appointment, with the replacement serving the remainder of the unexpired term.

2.70.040 Salary Commission – Duties.

The Commission shall have the following responsibilities:

- A. To study the relationship of salaries to the duties of the Mayor, Deputy Mayor and Councilmembers and to study the costs personally incurred by Councilmembers in performing such duties;
- B. To study the relationship of Shoreline City Council salaries and insurance benefits and compensation in lieu of insurance benefits to those of Councilmembers in surrounding City jurisdictions and other current market conditions, including consideration of factors that would encourage an economically and socially diverse City Council, which could include changes to the CPI-U in the Puget Sound region, changes to the statewide minimum wage, and other current market conditions;
- C. To establish salaries, insurance benefits and/or compensation in lieu of insurance benefits (Salary Schedule), by either maintaining, increasing, or decreasing each by an affirmative vote of a majority of the members;

D. To review and potentially file a Salary Schedule with the City Clerk no later than by the deadline set out in 2.70.050(C).

2.70.050 Salary Commission - Meetings.

- A. The City Manager will appoint appropriate staff to assist the Salary Commission.
- B. The Commission shall keep a written record of its proceedings, which shall be a public record in accordance with State law, and shall actively solicit public comment at all meetings which shall be subject to the Open Public Meetings Act, pursuant to Chapter 42.30 RCW.
- C. The Commission shall meet as often as necessary in order to file a Salary Schedule with the City Clerk or to make a determination that no salary adjustment is appropriate, on or before October 1st in the year in which the Salary Commission performs their work.

2.70.060 Salary Schedule Effective Date.

- A. The Salary Commission shall file any increase or decrease in the Salary Schedule with the City Clerk, and the same will be incorporated into the City budget without further action of the City Council or the Commission, provided that the increase or decrease shall become effective as further provided in subsections (B) and (C) below.
- B. A salary increase established by the Commission shall be effective upon its adoption as to all incumbent City elected officials, regardless of their terms of office.
- C. A salary decrease established by the Commission shall not be effective as to incumbent City elected officials until the commencement of their next terms of office.
- D. Any adjustment of salary by the Commission shall supersede any City ordinance related to the budget or fixing of salaries, but only to the extent there is a conflict.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this Ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.


Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five (5) days after publication.


PASSED BY THE CITY COUNCIL ON FEBRUARY 22, 2021.


Deputy Mayor ~~Will Hall~~ Kelly Saully

ATTEST:


Jessica Simulcik Smith
City Clerk

APPROVED AS TO FORM:


Julie Ainsworth-Taylor
Assistant City Attorney on behalf of
Margaret King, City Attorney

Date of Publication: February 25, 2021
Effective Date: March 2, 2021