

Trisha Summers

From: Dave Gray <dave@cityofedgewood.org>
Sent: Tuesday, August 13, 2019 2:45 PM
To: Tony Hernandez
Cc: Rachel Pitzel
Subject: RE: Salary Commission
Attachments: Ord No. 16-0470 Salary Commission(1450186x7ACF2) Revised May.docx

Hello Chief:

Here is the ordinance our Council adopted in 2016. Our system is a bit unique in that the Commission spends about 15-20 minutes on setting the Council & Mayor salary, and several hours reviewing the comps for all staff positions. While it is a short blurb at the very end of the ordinance, it is the actual heavy lifting the Commission performs. There is no statutory authority for this and I've not found another City that does this. You will note the process is "advisory only" as the Council, by law, has to set the staff salary schedule with the budget ordinance. They can't give the job away. That said...the process allows community citizens the ability to analyze the salaries of our employees and recommend what is competitive statewide, without considering the impact on the budget. It then becomes the job of the Council to set the schedule. The goal is for the Council to get local, independent information about what will keep the City competitive, while they consider the entire budget. It helps avoid the pitfall of balancing the budget on the backs of the employees. It also takes any favoritism out of the Council-Staff dynamic and makes our largest expenditure (staffing) a much more citizen connected process. Since implemented the Council has adopted the recommended salary schedule without modification. A great question is, what happens when money gets tight. My hope is that Council will cut heads and keep those remaining paid a competitive pay. With headcount reduction comes a level of service reduction, which in my mind, is as it should be. I realize those with a majority unionized workforce may find this less useful. Although, I would not fear using it anyway in helping set competitive union increases to salary and benefits. Then if the union demands something above the comps, the City is able to speak in a non-threatening way about headcount.

Hope this helps.
Dave

NOTICE OF PUBLIC DISCLOSURE: This e-mail is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Tony Hernandez [mailto:thernandez@cityofmilton.net]
Sent: Tuesday, August 13, 2019 2:11 PM
To: Dave Gray <dave@cityofedgewood.org>
Subject: Salary Commission

Greetings Dave could you please send me whatever you have on your Salary Commission. I am doing some research for a possible Salary Commission for Milton.

Thanks !

Chief of Police
Tony Hernandez
1000 Laurel Street
Milton WA 98354
Office: 253-517-2717

This is an external email. Please use caution when opening any attachments.

ORDINANCE NO. 16-0470

**AN ORDINANCE OF THE CITY OF EDGEWOOD,
WASHINGTON, AMENDING CHAPTER 2.10 EMC ELECTED
OFFICIALS; ESTABLISHING A SALARY COMMISSION IN
ACCORDANCE WITH RCW 35.21.015; DEFINING THE
POWERS, DUTIES, ELIGIBILITY REQUIREMENTS AND
PROCEDURES FOR SAID COMMISSION; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE**

WHEREAS, RCW 35.21.015 authorizes cities to establish, by ordinance, an independent salary commission in order to set the salaries of local elected officials, subject to certain terms and conditions; and

WHEREAS, the Edgewood City Council desires to establish such a commission for the purpose of setting the salaries of the City of Edgewood Mayor and City Council, and further desires to vest said commission with the power to study and make nonbinding advisory recommendations regarding the appropriate levels of compensation for City of Edgewood employees;

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

Section 1. Amendment of Chapter 2.10 EMC. Chapter 2.10 of the Edgewood Municipal Code is hereby amended by the addition of a new section 2.10.050 to provide in its entirety as contained in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**Presented to Council for First Reading on July 26, 2016
Presented to Council for Second Reading on August 9, 2016**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD THIS 9TH DAY
OF AUGUST, 2016**

SIGNED BY:

Mayor Daryl Eidinger

ATTEST/AUTHENTICATED:

City Clerk Rachel Pitzel

APPROVED AS TO FORM:

City Attorney Zach Lell

Date of Publication:

Effective Date:

Exhibit A

2.10.050 Salary Commission

There is created and established an independent salary commission.

A. Purpose, function and construction. The salary commission shall review and establish the salaries of the mayor and the councilpersons and shall exercise the powers and perform the duties set forth by RCW 35.21.015, as now existing or hereafter amended, and this section. The provisions of this section shall be construed in accordance with RCW 35.21.015.

B. Membership, appointment, compensation and term.

1. The commission shall consist of five members, to be appointed by the mayor with the approval of the city council.

2. A member of the commission shall serve for a three-year term without compensation, and shall be a resident of the city. Initial terms shall be staggered with two members appointed for terms beginning upon their appointment in August and ending December 31, 2017; two members appointed for terms beginning upon their appointment and ending December 31, 2018; and one member appointed for a term beginning upon his or her appointment and ending December 31, 2019.

3. No member of the commission shall be appointed to more than two terms, whether consecutive or otherwise.

4. A member of the commission shall not be an officer, official, or employee of the city or an immediate family member of an officer, official, or employee of the city. For purposes of this section, "immediate family member" means the parents, spouse, siblings, children, or dependent relatives of an officer, official, or employee of the city, whether or not living in the household of the officer, official, or employee.

C. Vacancies. In the event of a vacancy in the office of commissioner, the mayor shall appoint, subject to approval of the city council, a person to serve the unexpired portion of the vacant position's term.

D. Removal. A member of the commission shall only be removed from office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence.

E. Duties; Adjustment of Salaries.

1. The commission shall review the salaries paid by the city to the mayor and city council. If after such review the commission determines that the salary paid to the mayor or city council should be increased or decreased, the commission shall file a written salary schedule with the city clerk indicating the increase or decrease in salary.

2. The commission shall convene and complete its first review of the salaries paid to the mayor and city council within 90 days of the appointment of the commission. Should the commission determine that the salary paid to the mayor or city council should be increased or decreased, the commission shall file its initial schedule of salaries for the mayor and city council with the city clerk no later than the 91st day following the appointment of the commission.

3. For subsequent years, the commission shall meet no less than one time per year, during the month of May.

4. All meetings of the commission shall be governed by the Open Public Meetings Act and shall be open to the public except as otherwise allowed under that Act. Members of the public shall have an opportunity to comment or submit comments in writing prior to a commission vote to increase or decrease salaries.

5. Any increase or decrease in salary shall become effective and incorporated into the city budget without further action of the city council or the commission.

6. Salary increases established by the commission shall be effective as to the mayor and all council members, regardless of their terms of office.

7. Salary decreases established by the commission shall not be effective as to an incumbent mayor and council members until the commencement of their next term of office.

8. 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 of a conflict.

9. Existing salaries for the mayor and council members established by city ordinance and/or city budget prior to the effective date of this section shall remain in effect unless and until changed in accordance with the provisions of this chapter. The terms and conditions of the commission's adopted salary schedule will remain in effect until amended under the terms and conditions of a new salary schedule filed in accordance with this chapter.

10. The commission shall adopt rules of procedure to govern its meetings. Such rules shall make provision for the taking of minutes and keeping of commission records, and shall provide for the election of such officers as are deemed necessary by the commission for the conduct of its business.

F. Referendum Measures.

1. Salary increases and decreases shall be subject to referendum petition by the people of the city in the same manner as a city ordinance upon filing of such petition with the city clerk within thirty days after filing of the salary schedule. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by vote of the people.

2. Referendum measures under this section shall be submitted to the voters of the city at the next following general or municipal election occurring thirty days or more after the petition is filed, and shall be otherwise governed by the provisions of the state Constitution or laws generally applicable to referendum measures.

G. Employee Compensation Recommendations. Separate from and independent of the other provisions of this section, the city council may from time to time direct the commission to review the salary and/or benefits provided to city employees and to make recommendations to the council regarding the same. Any such recommendations shall be advisory only, shall not be subject to referendum, and shall not bind the council in any manner whatsoever.