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SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ORDINANCE NO. 07-053

RELATING TO SALARIES OF COUNTY OFFICERS, ESTABLISHING THE  
SNOHOMISH COUNTY CITIZENS' COMMISSION ON SALARIES FOR  
ELECTED OFFICIALS, TERMINATING THE ADVISORY COMMISSION  
CREATED BY ORDINANCE NO. 97-001, AMENDING OR REPEALING  
PROVISIONS OF CHAPTERS 2.105, 3.70, AND 4.26 SCC, AND  
PROVIDING EFFECTIVE DATES

WHEREAS, the 2006 Charter Review Commission proposed an amendment to the Snohomish County Charter that directs the County Council to establish an independent salary commission to fix the compensation of county elected officials, subject to referendum by the people; and

WHEREAS, the amendment, which includes a new Charter Section 6.120, was approved by county voters at the general election held on November 7, 2006; and

WHEREAS, Charter Section 6.120 provides that the initial members of the salary commission serve two year terms ending December 31, 2009; and

WHEREAS, this ordinance is intended to implement the charter amendment by terminating the advisory commission created by Ordinance No. 97-001 and establishing an independent salary commission to be known as the Snohomish County Citizens' Commission on Salaries for Elected Officials as provided herein;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 2.105.010, adopted by Ordinance No. 97-001 on February 5, 1997, is amended to read:

**2.105.010 Definitions.**

In this chapter, unless the context clearly requires otherwise,

(1) "Commission" means the Snohomish county citizens' commission on salaries ((ef)) for elected officials created by SCC ((2.105.020)) 2.105.025.

(2) "Elected officials" means the county council, executive, assessor, auditor, clerk, prosecuting attorney, sheriff, and treasurer.

(3) "Immediate family member" means a parent, spouse, sibling, child, or dependent relative of the officer, official, or employee, whether or not living in the same household.

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1 Section 2. Snohomish County Code Section 2.105.020, adopted by Ordinance  
2 No. 97-001 on February 5, 1997, is repealed.

3  
4 Section 3. A new section is added to Chapter 2.105 of the Snohomish County  
5 Code to read:

6  
7 **2.105.025. Creation and purpose.**

8 The Snohomish county citizens' commission on salaries for elected  
9 officials is hereby established as an independent county commission. The  
10 purpose of the commission shall be to fix the salaries of the county council,  
11 executive, assessor, auditor, clerk, prosecuting attorney, sheriff, and treasurer in  
12 accordance with this chapter, the county charter, and state law.

13  
14 Section 4. Snohomish County Code Section 2.105.030, adopted by Ordinance  
15 No. 97-001 on February 5, 1997, is amended to read:

16  
17 **2.105.030 Duties of commission.**

18 The commission shall study the relationship of salaries to the duties of  
19 ~~((all))~~ the elected officials and shall ((recommend)) fix the salary for each position  
20 in accordance with charter section 6.120, chapter 36.17 RCW, and this chapter.  
21 Except as provided in this chapter, the commission shall be solely responsible for  
22 its own organization, and shall enjoy the fullest cooperation of all elected officials,  
23 departments, and agencies of the county. Staff support shall be provided ~~((as~~  
24 ~~determined))~~ by the county executive.

25  
26 Section 5. Snohomish County Code Section 2.105.040, adopted by Ordinance  
27 No. 97-001 on February 5, 1997, is amended to read:

28  
29 **2.105.040 Eligibility and appointment.**

30 (1) The commission shall consist of ~~((seven))~~ ten members ~~((consisting~~  
31 ~~of two at-large members and five members each of whom is a legal resident of~~  
32 ~~one of the five council districts. Members of the commission must be at least~~  
33 ~~eighteen years of age, registered to vote, and legal residents of Snohomish~~  
34 ~~County. No Snohomish County official or employee, or immediate family member~~  
35 ~~of a Snohomish County official or employee, is eligible for membership on the~~  
36 ~~commission))~~ nominated by the county executive and confirmed by the county  
37 council in accordance with the county charter and this section. The members of  
38 the commission may not include any officer, official, or employee of the county or  
39 any of their immediate family members.

40 (2) ~~((The members of the commission shall be appointed pursuant to~~  
41 ~~Chapter 2.03 SCC, except that the county council may recommend persons for~~  
42 ~~nomination by the county executive.))~~ Six of the ten commission members shall  
43 be selected by lot by the county auditor from among those registered voters

1 eligible to vote at the time persons are selected for appointment to full terms on  
2 the commission. Of these six commission members, one shall be selected from  
3 each county council district established under chapter 1.08 SCC and one shall be  
4 selected without reference to a county council district. The county auditor shall  
5 establish policies and procedures for conducting the selection by lot. The  
6 policies and procedures shall include, but not be limited to, those for notifying  
7 persons selected and for providing a new selection if a person selected under  
8 this subsection declines appointment to the commission or if, following the  
9 person's appointment, the person's position on the commission becomes vacant  
10 before the end of the person's term of office. The county auditor shall forward  
11 the names of persons selected under this subsection to the county executive who  
12 shall nominate those persons to the commission. Nominations made by the  
13 county executive under this subsection shall be confirmed by the county council.

14 (3) The remaining four of the ten commission members must be residents  
15 of the county and shall be nominated by the county executive and confirmed by  
16 the county council. The persons selected under this subsection shall have had  
17 experience in the field of personnel management. Of these four members, one  
18 shall be selected from each of the following four sectors in the county: business,  
19 professional personnel management, legal profession, and organized labor. The  
20 county council may confirm or reject nominations made under this subsection. If  
21 the council rejects a nomination the county executive shall promptly nominate  
22 another person meeting the requirements of this subsection.

23 (4) The members of the commission shall serve ((four-year)) two-year  
24 terms ending December 31, ((2000)) 2009, and every ((four)) two years  
25 thereafter ((, except that three of the first seven members shall be appointed for  
26 terms ending December 31, 1998, as determined by lot)). No person may be  
27 appointed to more than two terms. Notwithstanding SCC 2.03.080, members of  
28 the commission may be removed by the county executive, with the approval of  
29 the county council, only for cause of incapacity, incompetence, neglect of duty,  
30 malfeasance in office, or for a disqualifying change of eligibility. ((The unexcused  
31 absence of any member of the commission from two consecutive meetings of the  
32 commission shall constitute relinquishment of that person's membership and  
33 create a vacancy on the commission.)) Upon a vacancy ((prior to the end of a  
34 term)) in any position on the commission, a successor shall be nominated and  
35 ((appointed)) confirmed to fill the unexpired term. The ((county executive and  
36 council shall endeavor to fill vacancies within 60 days of their occurrence))  
37 nomination and confirmation shall be concluded within thirty days of the date the  
38 position becomes vacant and shall be conducted in the same manner as the  
39 original appointment.

40  
41 Section 6. Snohomish County Code Section 2.105.050, adopted by Ordinance  
42 No. 97-001 on February 5, 1997, is amended to read:  
43

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1 **2.105.050 Meetings and operation.**

2 (1) All business of the commission shall be subject to the Open Public  
3 Meetings Act, Chapter 42.30 RCW. ~~((Prior to recommending any salary~~  
4 ~~schedule, the commission shall hold no fewer than two public hearings within the~~  
5 ~~two months immediately preceding the recommendation.)) The commission shall  
6 meet biennially as provided in charter section 6.120.~~

7 (2) The members of the commission shall elect a chair from among their  
8 number. ~~((The commission shall recommend a schedule of salaries by an~~  
9 ~~affirmative vote of not less than five members of the commission.))~~

10  
11 Section 7. Snohomish County Code Section 2.105.060, adopted by Ordinance  
12 No. 97-001 on February 5, 1997, is amended to read:

13  
14 **2.105.060 ~~((Recommended salary))~~ Salary schedules.**

15 (1) The commission shall ~~((recommend))~~ prepare and file ~~((its initial))~~ a  
16 schedule of salaries for the elected officials ~~((to))~~ for the succeeding two calendar  
17 years with the county council and county auditor no later than May ~~((15, 1997))~~ 1,  
18 2008, and ~~((shall recommend a salary schedule to the county council and~~  
19 ~~executive on or before May 15))~~ no later than May 1 every two years  
20 ~~((commencing May 15, 1999))~~ thereafter. The signature of the chair of the  
21 commission shall be affixed to each salary schedule ~~((recommended))~~ filed by  
22 the commission. The chair of the commission shall certify that the salary  
23 schedule has been ~~((recommended))~~ prepared and filed in accordance with the  
24 provisions of this chapter, charter section 6.120, and ~~((with))~~ the rules, if any, of  
25 the commission.

26 (2) Except as provided in subsection (3) of this section, the salary  
27 schedule prepared and filed by the commission in accordance with this section  
28 shall become effective January 1 of the following calendar year and incorporated  
29 into the county budget without further action by the county council, county  
30 executive, or commission, provided that salary decreases established by the  
31 commission shall become effective as to incumbent elected officials at the  
32 commencement of their next subsequent terms of office. Salary increases  
33 established by the commission shall become effective as to all elected officials  
34 regardless of their terms of office.

35 (3) Salary increases and decreases shall be subject to referendum as  
36 provided in SCC 2.105.080 and charter section 6.120.

37  
38 Section 8. Snohomish County Code Section 2.105.070, adopted by Ordinance  
39 No. 97-001 on February 5, 1997, is amended to read:

40  
41 **2.105.070 Compensation.**

42 Members of the commission shall serve without compensation, but may  
43 receive reimbursement for mileage to and from meetings and for such other

1 expenses directly related to their service as may be approved by the county  
2 executive in accordance with chapter 2.03 SCC.

3  
4 Section 9. A new section is added to Chapter 2.105 of the Snohomish County  
5 Code to read:

6  
7 **2.105.080 Referendum.**

8 (1) Salary changes fixed by the commission shall be subject to  
9 referendum in the same manner as a county ordinance except as otherwise  
10 provided in RCW 36.17.024. Referendum petitions shall be prepared and  
11 processed in accordance with charter section 5.80, except that pursuant to RCW  
12 36.17.024 petitions containing the signatures of registered voters of the county  
13 equal in number to not less than five percent of the number of votes cast in the  
14 county in the last governor's election must be filed within thirty days after filing of  
15 the salary schedule.

16 (2) After the filing of a referendum petition the salary changes shall be  
17 suspended until approved by the voters as provided in charter section 5.80. If  
18 the voters fail to approve the salary changes for a two year biennium the  
19 commission may prepare and file a schedule of salaries for the second year of  
20 the biennium no later than May 1 of the first year of the biennium, which shall be  
21 prepared and filed and take effect as provided in SCC 2.105.060.

22  
23 Section 10. A new section is added to Chapter 3.70 of the Snohomish County  
24 Code to read:

25  
26 **3.70.015 Salaries of elected officials.**

27 The salaries of county elected officials shall be fixed by the Snohomish  
28 county citizens' commission on salaries for elected officials in accordance with  
29 Chapter 2.105 SCC.

30  
31 Section 11. Snohomish County Code Section 3.70.040, adopted by Ordinance  
32 No. 97-085 on October 15, 1997, is amended to read:

33  
34 **3.70.040 Medical and dental benefits not deemed additional compensation.**

35 The cost of any group medical or dental policy or plan or other benefits for  
36 ~~((members of the county council))~~ the county elected officials identified in SCC  
37 2.105.010 as authorized by law shall not be deemed additional compensation.  
38 Pursuant to RCW 41.04.180, 41.04.190, and 36.32.400, premiums for each  
39 ~~((council member))~~ elected official shall be paid by the county as necessary to  
40 maintain such group medical and dental insurance coverage, and upon the same  
41 terms, as the county may provide for non-represented county employees.  
42

1 Section 12. Snohomish County Code Section 4.26.110, last amended by  
2 Amended Ordinance No. 07-015 on March 21, 2007, is amended to read:

3  
4 **4.26.110 Budget adopted by council and subsequent modifications.**

5 (1) The estimates of revenues and appropriations as finally fixed and  
6 adopted in detail by the council and the salary schedule for elected officials filed  
7 pursuant to chapter 2.105 SCC shall constitute the budget for the ensuing year or  
8 fiscal biennium, subject to the limitations contained in the charter and county  
9 code; and the council and every other county official shall be limited in the  
10 making of expenditures or the incurring of liabilities to the amount of such  
11 detailed appropriations, provided, that budget transfers, budget revisions,  
12 emergency and supplemental appropriations, and reallocations within  
13 appropriation units may be made as provided by this chapter or as otherwise  
14 provided by law.

15 (2) A supplemental appropriation ordinance may appropriate  
16 unanticipated federal or state funds, or unanticipated funds from any local  
17 revenue source, available to the county. The clerk of the council shall publish in  
18 the official county newspaper notice of the time and date of the meeting at which  
19 the ordinance may be adopted, which shall state the amount of the appropriation,  
20 at least once each week for two consecutive weeks prior to the meeting.

21 (3) An appropriation is subject to lapse as set out in county charter  
22 section 6.100.

23  
24 Section 13. The following ordinances or parts of ordinances are each repealed:

25  
26 (1) Snohomish County Code Section 3.70.010, adopted by Ordinance No. 97-  
27 085 on October 15, 1997;

28 (2) Snohomish County Code Section 3.70.020, last amended by Amended  
29 Ordinance No. 03-126 on October 15, 2003;

30 (3) Snohomish County Code Section 3.70.025, adopted by Ordinance No. 02-  
31 017 on May 2, 2002;

32 (4) Snohomish County Code Section 3.70.030, last amended by Amended  
33 Ordinance No. 01-050 on August 8, 2001;

34  
35 Section 14. Transition. (1) The repeal of SCC 2.105.020 terminates the  
36 advisory commission created by Ordinance No. 97-001.

37 (2) To facilitate the appointment of the initial commission members to two year  
38 terms beginning January 1, 2008, and ending December 31, 2009, the County Auditor  
39 and Executive shall take all actions necessary to submit nominations to the Snohomish  
40 County Citizens' Commission on Salaries for Elected Officials to the County Council by  
41 November 1, 2007. Pursuant to SCC 2.105.060, the salaries fixed by the initial  
42 commission shall take effect on January 1, 2009.  
43

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1 Section 15. Sunset. Chapter 2.105 of the Snohomish County Code, as adopted  
2 or amended by this ordinance or after the effective date of this ordinance, is repealed,  
3 effective on the date six years following enactment unless re-enacted prior to that date  
4 as provided in Snohomish County Charter Section 2.115.  
5

6 Section 16. Effective dates. Sections 1 through 9, 14, and 15 of this ordinance  
7 shall take effect ten days after this ordinance is signed by the County Executive or  
8 otherwise enacted, as provided in Charter Section 2.110. Sections 10 through 12 of this  
9 ordinance shall take effect on January 1, 2008. Section 13 of this ordinance shall take  
10 effect on January 1, 2009.  
11

12 PASSED this 27<sup>th</sup> day of June, 2007.

13  
14 SNOHOMISH COUNTY COUNCIL  
15 Snohomish County, Washington

16 Dave Foresett  
17  
18 Chairperson

19  
20 ATTEST:

21 Barbara Suterati  
22 Clerk of the Council, *ASST.*  
23

24  
25  APPROVED

26  
27 ( ) EMERGENCY

28  
29 ( ) VETOED

30 DATE: 6/29/07

31  
32  
33  
34 for County Executive  
35 **MARK SOINE**  
36 Deputy Executive

37 ATTEST:

38 Cora E. Palmer  
39

40 Approved as to form only:

41 [Signature]  
42 Deputy Prosecuting Attorney  
43

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