

Adopted: 04/24/13
Effective: 05/10/13

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 13-026

RELATING TO THE SNOHOMISH COUNTY CITIZENS' COMMISSION ON
SALARIES OF ELECTED OFFICIALS AND RE-ENACTING CHAPTER 2.105 SCC

WHEREAS, the 2006 Charter Review Commission proposed an amendment to the Snohomish County Charter that directed 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 included a new Charter Section 6.120 was approved by county voters at the general election on November 7, 2006; and

WHEREAS, on June 27, 2007, the County Council adopted Ordinance No. 07-053, implementing the charter amendment and establishing an independent salary commission to be known as the Snohomish County Citizens' Commission on Salaries for Elected Officials; and

WHEREAS, Snohomish County Charter 2.115 requires that ordinances establishing programs requiring funding provide for repeal on the date six years following enactment unless re-enacted prior to that date; and

WHEREAS, Section 15 of Ordinance No. 07-053 automatically repeals chapter 2.105 SCC unless it is re-enacted prior to June 27, 2013; and

WHEREAS, the County Council held a public hearing on April 24, 2013, to solicit comments from the public and to consider whether to re-enact chapter 2.105 SCC as set forth in this ordinance; and

WHEREAS, it is in the best interest of the citizens of Snohomish County to re-enact the provisions of chapter 2.105 SCC as set forth herein;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Chapter 2.105, adopted by Ordinance No. 07-053 on June 27, 2007, is re-enacted 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 for elected officials created by SCC 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.

2.105.025. Creation and purpose.

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

2.105.030 Duties of commission.

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

2.105.040 Eligibility and appointment.

(1) The commission shall consist of ten members nominated by the county executive and confirmed by the county council in accordance with the county charter and this section. The members of the commission may not include any officer, official, or employee of the county or any of their immediate family members.

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

(3) The remaining four of the ten commission members must be residents of the county and shall be nominated by the county executive and confirmed by the county council. The persons selected under this subsection shall have had

experience in the field of personnel management. Of these four members, one shall be selected from each of the following four sectors in the county: business, professional personnel management, legal profession, and organized labor. The county council may confirm or reject nominations made under this subsection. If the council rejects a nomination the county executive shall promptly nominate another person meeting the requirements of this subsection.

(4) The members of the commission shall serve two-year terms ending December 31, 2009, and every two years thereafter. No person may be appointed to more than two terms. Notwithstanding SCC 2.03.080, members of the commission may be removed by the county executive, with the approval of the county council, only for cause of incapacity, incompetence, neglect of duty, malfeasance in office, or for a disqualifying change of eligibility. Upon a vacancy in any position on the commission, a successor shall be nominated and confirmed to fill the unexpired term. The nomination and confirmation shall be concluded within thirty days of the date the position becomes vacant and shall be conducted in the same manner as the original appointment.

2.105.050 Meetings and operation.

(1) All business of the commission shall be subject to the Open Public Meetings Act, Chapter 42.30 RCW. The commission shall meet biennially as provided in charter section 6.120.

(2) The members of the commission shall elect a chair from among their number.

2.105.060 Salary schedules.

(1) The commission shall prepare and file a schedule of salaries for the elected officials for the succeeding two calendar years with the county council and county auditor no later than May 1, 2008, and no later than May 1 every two years thereafter. The signature of the chair of the commission shall be affixed to each salary schedule filed by the commission. The chair of the commission shall certify that the salary schedule has been prepared and filed in accordance with the provisions of this chapter, charter section 6.120, and the rules, if any, of the commission.

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

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

2.105.070 Compensation.

Members of the commission shall serve without compensation, but may receive reimbursement for mileage to and from meetings and for such other expenses directly related to their service as may be approved by the county executive in accordance with chapter 2.03 SCC.

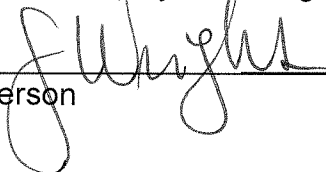
2.105.080 Referendum.

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

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

PASSED this 24th day of April, 2013.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Chairperson

ATTEST:

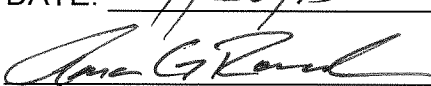


Clerk of the Council, Assistant

APPROVED

EMERGENCY

VETOED

DATE: 4/30/13


County Executive

ATTEST:

Cora E. Palmer 4/30/13

Approved as to form only:

[Signature]
Deputy Prosecuting Attorney