

**CITY OF MAPLE VALLEY, WASHINGTON**

**ORDINANCE O-18-637**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING TITLE 2 OF THE MAPLE VALLEY MUNICIPAL CODE ENTITLED “ADMINISTRATION AND PERSONNEL” BY ADDING CHAPTER 2.105 “SALARY COMMISSION”, PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR CORRECTIONS.**

**WHEREAS**, the City of Maple Valley conducted a salary survey which found that current council member stipends were below market; and

**WHEREAS**, the City Council assessed the various options available to increase council member stipends including the formation of a salary commission as provided for by RCW 35A.13.040; and

**WHEREAS**, the City Council found that the formation of a salary commission was the best available mechanism to evaluate council stipends; and

**WHEREAS**, the City Council reached consensus to move forward with the creation of a salary commission which would permit the City to increase stipends and apply the increases to council members currently in office as well as to those recently elected; and

**WHEREAS**, Title 2 of the Maple Valley Municipal Code shall be amended to include the addition of a salary commission;

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

**Section 1. Amendment.** Title 2 of the Maple Valley Municipal Code entitled “Administration and Personnel” is hereby amended to include a new Chapter, Chapter 2.105 “Salary Commission,” as follows:

**Sections:**

- 2.105.010 Created – Membership.**
- 2.105.020 Qualifications**
- 2.105.030 Duties**
- 2.105.040 Open Meetings**
- 2.105.050 Referendum**

### **2.105.010 Created – Membership.**

A. There is created a salary commission for the city. The commission shall consist of three members, to be appointed by the mayor with the approval of the city council.

B. The salary commission will serve without compensation.

C. Each member of the commission shall serve for a period of one year, or until the commission submits a written salary schedule to the city clerk, whichever is sooner.

D. In the event of a vacancy in office of commissioner, the mayor shall appoint, subject to approval of the city council, a person to serve the unexpired portion of the term of the expired position.

E. 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.

### **2.105.020 Qualifications.**

A. Each member of the commission shall be a resident of the city.

B. No member of the commission shall 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.

### **2.105.030 Duties.**

A. The commission shall have the duty to meet between March 1st and May 31st of each third year commencing the year 2018, following the completion of the City’s comprehensive salary survey, to review the salaries paid by the city to each elected city official. If after such review, the commission determines that the salary paid to an elected city official should be increased or decreased, the commission shall file a written salary schedule with the city clerk indicating the increase or decrease in salary and the effective date. Prior to filing the salary schedule with the city clerk, the city attorney shall review the salary schedule for ambiguity and legality and shall approve the salary schedule as to form if the schedule is unambiguous and legal.

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

council or salary commission.

C. Salary increases established by the commission shall be effective as to all city elected officials, regardless of their terms of office. Salary increases established by the commission shall be effective on the next payday for city employees, or under the conditions established in the salary schedule.

D. Salary decreases established by the commission shall become effective as to incumbent city elected officials at the commencement of their next subsequent terms of office.

E. For purposes of this chapter, “salary” means any fixed compensation paid or provided periodically for work or services and includes, but is not limited to, wages and medical or other benefits. This definition expressly excludes any expenses paid or reimbursed on behalf of the council member for training and travel expenses.

F. Should the commission submit a written salary schedule to the city clerk, the City Council may request the commission present its conclusions at a regular City Council business meeting.

**2.105.040 Open meetings.**

All meetings, actions, hearings, and business of the commission shall be subject to the Open Public Meetings Act as set forth in Chapter [42.30](#) RCW. Prior to the filing of any salary schedule, the commission shall hold one public hearing.

**2.105.050 Referendum.**

A. Any salary increase or decrease established by the commission pursuant to this chapter shall be subject to referendum petition by the voters of the city, in the same manner as a city ordinance, upon filing of a referendum petition with the city clerk within 30 days after filing of a salary schedule by the commission. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by a vote of the people.

B. Referendum measures under this section shall be submitted to the voters of the city at the next following general or municipal election occurring 30 days or more after the petition is filed, and shall otherwise be governed by the provisions of the State Constitution and the laws generally applicable to referendum measures.

**Section 2. Severability**

If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 3. Effective Date**

This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

**Section 4. Corrections by City Clerk or Code Reviser.**

Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF  
ON THE 12<sup>TH</sup> DAY OF FEBRUARY 2018.

CITY OF MAPLE VALLEY

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Sean P. Kelly, Mayor

ATTEST/AUTHENTICATED:

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Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

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Patricia Taraday, City Attorney

Date of Publication: February 23, 2018

Effective Date: February 28, 2018