

ORDINANCE 4022

AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING A SALARY COMMISSION FOR THE CITY AND ADDING A NEW CHAPTER 3.11 OF THE KIRKLAND MUNICIPAL CODE.

WHEREAS, the salaries for the Mayor and City Council have been adjusted, from time to time, by Council ordinance as provided in RCW 35A.13.040; and

WHEREAS, the current salaries for the City Council have not been adjusted in more than nine years; and

WHEREAS, RCW 35.21.015 authorizes the City to establish an independent salary commission, by ordinance, with authority to set the salary of the members of the City Council; and

WHEREAS, the City Council desires to have a comparative salary study conducted and recommendations for future salary adjustments provided by a commission composed of citizens from the community; and

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. A new Chapter 3.11 entitled "Salary Commission" is added to the Kirkland Municipal Code to read as follows:

3.11.010 Commission Created – Membership, appointment, compensation, term.

- 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. A member of the commission shall serve for a three year term without compensation, and shall be a resident of the city. The initial members shall be appointed for staggered terms.
- C. No member of the commission shall be appointed to more than two terms.
- D. 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.

3.11.020 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 term of the expired position.

3.11.030 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.

3.11.040 Duties.

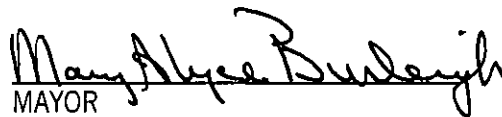
- A. The commission shall have the duty to review the salaries paid by the City to the Mayor and city council. If after such review the commission determines that the salary paid to the Mayor or city council should be increased or decreased, the commission shall file a written salary schedule with the city clerk indicating the increase or decrease in salary.
- B. 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.
- C. For subsequent years, the commission shall meet no less than one time per year, during the months of August or September of each year.
- D. All meetings of the commission shall be open to the public. Citizens of the city shall have an opportunity to comment or submit comments in writing prior to a commission vote to increase or decrease salaries.
- E. 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.
- F. Salary increases established by the commission shall be effective as to all members of the city council, regardless of their terms of office.
- G. Salary decreases established by the commission shall not be effective as to incumbent city council members until the commencement of their next term of office.
- H. 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. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.


Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 15th day of November, 2005.

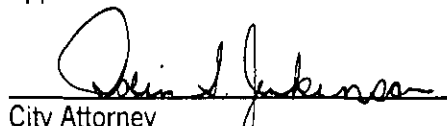
Signed in authentication thereof this 15th day of November, 2005.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney
Ord\SalaryCommission