

ORDINANCE NO. 4341

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE EDMONDS CITY CODE TO ADDRESS THE 2022 REESTABLISHMENT OF A SALARY COMMISSION AND REFLECTING THE COMMISSION'S IMPACT ON MAYOR AND COUNCIL PRESIDENT PAY.

WHEREAS, as a means of preventing the use of public office for self-enrichment, the Washington State Constitution, Article 11, Section 8, initially prohibited any changes in the pay applicable to an office having a fixed term, either after the election of that official or during his or her term; and

WHEREAS, by Article 30 (Amendment 54), adopted in 1967, and an amendment to Article 11, Section 8 (Amendment 57) in 1972, the rule was modified to permit pay increases for officials who do not fix their own compensation; and

WHEREAS, the State Legislature adopted RCW 35.21.015 to provide the ability for city councilmembers and commissioners to receive mid-term compensation increases, provided that a local salary commission was established and that the commission set compensation at a higher level; and

WHEREAS, RCW 35.21.015 authorizes the creation of a salary commission of city residents that may increase the salary of elected officials effective mid-term, and decrease the salary of elected officials effective upon subsequent terms of office, by filing a change in salary to the city clerk without further action of the city council; and

WHEREAS, the Edmonds City Council has established, repealed, and reestablished a salary commission at various times over the years with the following ordinances: Ordinance 3275 (establishing a salary commission in 1999); Ordinance 3508 (repealing and reenacting a salary commission in 2004); Ordinance 3975 (repealing the salary commission in 2014); Ordinance 4057 (adopting a salary commission in 2017); Ordinance 4223 (repealing a salary commission in 2021); and Ordinance 4252 (adopting a salary commission in 2022); and

WHEREAS, outside of chapter 10.80 ECC, the city code should be drafted to acknowledge the current existence of the salary commission and any future comings and goings of the salary commission; and

WHEREAS, certain provisions of the city code address the salary of the mayor and council president without acknowledging the current existence of the salary commission; and

WHEREAS, the city code is silent on the compensation of council members who are not the council president;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 1.02.031 of the Edmonds City Code, entitled “Council President,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strikethrough~~):

The council president shall be elected for a one-year term by the city council at the first council meeting of each year and shall serve until his or her successor is elected at the first council meeting of the next year; provided, that, in years when the composition of the city council will not change in the forthcoming year, either because it was not an election year or because all incumbents were reelected, the council president for the forthcoming year may be elected at the last meeting of the year preceding the start of the president’s term, in which case the president’s term shall begin on January 1st of the forthcoming year.

A. At the same meeting that the council president is elected, the city council shall elect a council president pro tempore who shall serve in the absence of the council president. In the event that both the council president and president pro tempore are unavailable, the council president shall appoint a member of the council to fulfill his/her duties while both are unavailable.

B. In addition to any other duties assigned by the city council, the council president shall have the following responsibilities:

1. Assign members of the city council as members and liaisons to boards, commissions, and committees, and otherwise supervise the committee system;
2. Formulate and prepare the agenda for city council meetings; and

3. Supervise and direct the activities of any staff whose primary responsibility is to support the city council.

C. In addition to the salary as a member of the city council, the council president shall be entitled to receive additional compensation ~~not to exceed \$200.00 per month~~ as established by the salary commission created pursuant to RCW 35.21.015. If no salary commission has established the additional compensation to be paid to the council president, then the council president shall be paid in accordance with the salary commission determination that was most recently in effect.


Section 2. Section 2.01.050 of the Edmonds City Code, entitled "Salary," is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strikethrough~~):

~~The mayor shall receive a salary in such amount as the city council may from time to time establish by ordinance~~ as established by the salary commission created pursuant to RCW 35.21.015. If no salary commission has established the compensation to be paid to the mayor, then the mayor shall be paid in accordance with the salary commission determination that was most recently in effect.

Section 3. 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 4. Effective Date. This ordinance is subject to referendum and shall take effect thirty (30) days after final passage of this ordinance.

APPROVED:



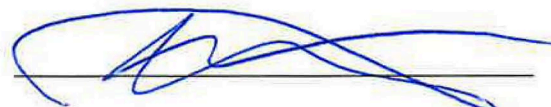
MAYOR MIKE ROSEN

ATTEST/AUTHENTICATED:



CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

JEFF TARADAY

FILED WITH THE CITY CLERK:	January 19, 2024
PASSED BY THE CITY COUNCIL:	January 23, 2024
PUBLISHED:	January 26, 2024
EFFECTIVE DATE:	February 24, 2024
ORDINANCE NO.	4341

SUMMARY OF ORDINANCE NO. 4341

of the City of Edmonds, Washington

On the 23rd day of January, 2024, the City Council of the City of Edmonds, passed Ordinance No. 4341. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE EDMONDS CITY CODE TO ADDRESS THE 2022 REESTABLISHMENT OF A SALARY COMMISSION AND REFLECTING THE COMMISSION'S IMPACT ON MAYOR AND COUNCIL PRESIDENT PAY.

The full text of this Ordinance will be mailed upon request.

DATED this 23rd day of January, 2024.



CITY CLERK, SCOTT PASSEY

Everett Daily Herald

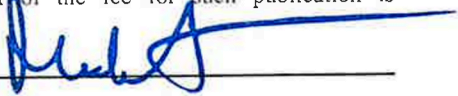
Affidavit of Publication

State of Washington }

County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH990540 ORD NO. 4341 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 01/26/2024 and ending on 01/26/2024 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$25.80.



Subscribed and sworn before me on this

26th day of January
2024



Notary Public in and for the State of Washington.

ORDINANCE SUMMARY

of the City of Edmonds, Washington
On the 23rd Day of January, 2024, the City Council of the City of Edmonds, passed the following Ordinance, the summary of said ordinance consisting of title is provided as follows:

ORDINANCE NO. 4341

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE EDMONDS CITY CODE TO ADDRESS THE 2022 REESTABLISHMENT OF A SALARY COMMISSION AND REFLECTING THE COMMISSION'S IMPACT ON MAYOR AND COUNCIL PRESIDENT PAY.

DATED this 23rd Day of January, 2024.
CITY CLERK, SCOTT PASSEY

Published: January 26, 2024. EDH