

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1862

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 2.46.020 AND 2.46.030 OF THE FIFE MUNICIPAL REGARDING THE SALARY COMMISSION

WHEREAS, RCW 35A.13.040 authorizes the city council to revise council and mayor salaries from time to time by ordinance, but any change in salary by the council cannot become effective until the expiration of the term then being served by the incumbent; and

WHEREAS, as an alternative, cities may establish by ordinance a salary commission under RCW 35.21.015 to review and adjust council and mayor salaries from time to time; and

WHEREAS, on March 22, 2005, the city council adopted Ordinance No. 1552-05 establishing a salary commission and adding a new FMC Chapter 2.46 setting forth the terms, powers, and operations of the salary commission; and

WHEREAS, FMC Chapter 2.46 provides that the salary commission shall consist of seven members, to be appointed by the mayor subject to approval of the city council for three year terms without compensation; and

WHEREAS, the commission positions have not been filled since the initial terms expired; and

WHEREAS, the council recognizes that it is difficult and unnecessary to keep a seven member board that meets very infrequently continuously filled for three year terms; and

WHEREAS, the council deems that it is in the City's interest to remove the requirement that the commission be continuously filled and instead provide for filling the commission once every four years; now, therefore,

THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Section 2.46.020 of the Fife Municipal Code is hereby amended to read as follows:

2.46.020 Members – Term – Vacancies – Removal.

A. The salary commission shall consist of seven members, to be appointed by the mayor with the approval of the city council. At least four of the members shall be residents of the city of Fife and the balance shall be local business persons.

B. The salary commission shall not be a standing commission. Rather, the commission shall be filled and members selected in accordance with subsection A above, once every four years commencing in 2014. The commission may be formed at any time in the interim four years by council resolution. The salary commission members shall serve a 120 day term without compensation. The term may be extended up to 60 days by the commission if they publically deem an extension necessary to complete their duties under FMC 2.46.030(A).

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 purpose for 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.

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

F. A member of the commission shall only be removed from office for cause of incapacity, incompetence, neglect of duty, malfeasance in office, or for a disqualifying change in residence or business location.

Section 2. Section 2.46.030 of the Fife Municipal Code is hereby amended to read as follows:

2.46.030 Powers and duties.

A. The commission shall have the duty 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 any 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. The commission shall complete its duties and file any increase or decrease in salary to the city clerk prior to the expiration of its term.

B. Except as provided in subsection E of this section, and in FMC 2.46.050, any change in salary established by the commission shall become effective upon filing with the city clerk and shall be incorporated into the city budget without further action of the city council or the commission.

C. Each schedule shall be prepared as a resolution of the commission in a form approved by the city attorney and signed by the commission chair.

D. Salary increases established by the commission shall be effective as to all city elected officials, regardless of their terms of office.

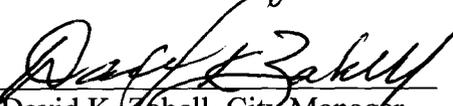
E. Salary decreases established by the commission shall be effective as to incumbent city elected officials at the commencement of their next subsequent terms of office.

Section 3. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

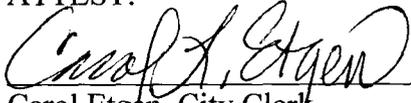
Section 4. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 8th day of April, 2014.

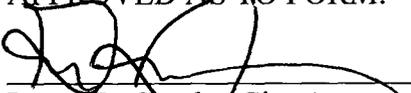
Passed by the City Council on the 27th day of May, 2014.


David K. Zabell, City Manager

ATTEST:


Carol Etgen, City Clerk

APPROVED AS TO FORM:


Loren D. Combs, City Attorney
assistant city atty

Published: May 29, 2014
Effective Date: June 3, 2014