



**WEST RICHLAND SALARY COMMISSION
TUESDAY, SEPTEMBER 13, 2016
3:30 p.m.
PRELIMINARY AGENDA**

- 1. MEETING CALLED TO ORDER**
- 2. ROLL CALL**
- 3. DESIGNATE CHAIRPERSON**
- 4. APPROVAL OF AGENDA**

- 5. REVIEW BY CITY ATTORNEY**
 - a. City of West Richland Form of Government
 - b. Ordinance Creating Salary Commission

- 6. ELECTED OFFICIAL SALARY HISTORY**

- 7. ROLE OF MAYOR AND CITY COUNCIL MEMBERS**

- 9. DATA SOURCES**

- 10. OUTCOMES**

- 11. MEETING SCHEDULE**

- 12. ADJOURNMENT**



Review of City of West Richland Form of Government

West Richland is a Non-Charter Code City



City and Town Classification

This page provides an overview of first class, second class, and code cities and towns in Washington State, as well as a comparison of powers between the different classes.

Overview

City and town governments in Washington are classified according to their population at the time of organization (usually incorporation) or reorganization. There are four classification types: first class, second class, and code cities, and towns, all of which have different powers under state law. One city in Washington (Waitsburg) remains unclassified.

In addition, each city has a form of government that determines its governance structure: mayor-council, council-manager, or commission.

To see the classification and form of government of any city or town, use MRSC's [Washington City and Town Profiles](#).

First Class Cities

A first class city is a city with a population of 10,000 or more at the time of organization or reorganization that has adopted a charter ([RCW 35.01.010](#)). There are 10 first class cities in Washington, with four operating under council-manager and six under mayor-council.

Second Class Cities

A second class city is a city with a population over 1,500 at the time of organization or reorganization that does not have a charter and does not operate as a code city under the Optional Municipal Code ([RCW 35.01.020](#)). There are eight second class cities in Washington, all operating under the mayor-council form.

Towns

A town has a population of less than 1,500 at the time of its organization and does not operate under the Optional Municipal Code ([RCW 35.01.040](#)). There are 69 towns in Washington, all operating under the mayor-council form.

No new towns may be formed. In 1994, the state legislature increased the population threshold required for incorporation from 300 to 1,500 ([RCW 35.02.010](#)). Since an area cannot incorporate unless it has 1,500 inhabitants, and since a town by definition must organize with less than 1,500 inhabitants, it is no longer possible to incorporate as a town.

Code Cities

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Most Washington cities are classified as code cities under the Optional Municipal Code (Title 35A RCW). Created in 1967, the Optional Municipal Code provides an alternative to the basic statutory classification system of municipal government. It was designed to provide broad statutory home rule authority in matters of local concern.

Any unincorporated area having a population of at least 1,500 may incorporate as a code city, and any city or town may reorganize as a code city. Code cities with populations over 10,000 may also adopt a charter, but only one city (Kelso) has done so.

There are 193 code cities in Washington, with 144 operating under mayor-council and 48 under council-manager. One code city (Shelton) operates under the commission form.

Comparison of Powers

The below table summarizes some of the key differences between second class cities, code cities, and towns. First class cities are not listed as their powers and structures are derived from their charters, which vary depending on the city.

Powers	Code City	Second Class City	Town
Home Rule Authority	Broad authority in all matters of local concern.	Only those powers expressly or implicitly granted by legislature.	Only those powers expressly or implicitly granted by legislature.
Construction of powers	Requires liberal construction of powers granted to it.	Governed by rule of strict construction of powers granted to it.	Governed by rule of strict construction of powers granted to it.
Limits of Power	All powers granted to any class of city and any not specifically denied.	Only powers granted specifically to this class or all classes.	Only powers granted specifically to this class or all classes.
Actions at Special Meetings	Any if proper notification given.	No action for the payment of money allowed.	No action for the payment of money allowed.
Emergency Clauses	Authority to include in most types of ordinances for protection of public health, safety, property, or peace.	Specific authority only for emergency expenditures in specified situations.	Specific authority only for emergency expenditures in specified situations.
Appointment of Councilmember Pro Tem	Authority in the event of an extended excused absence or disability of a councilmember.	No specific authority.	No specific authority.
Mayor Pro Tem Term Limit	2 years.	2 years.	6 months.
Mayoral Veto Power Over Ordinances*	Yes.	Yes.	No.
Mayor Has Tie-breaking Vote*	Yes, except on issues of payment of money or franchises.	No.	Yes, except on issues of payment of money or franchises.
Council Confirmation of Mayoral Appointments*	May require if no qualifications for office established.	May require for appointment of clerk, treasurer, or attorney.	Not allowed for any appointive officers.
Planning Governance	May adopt a planning commission or a planning department, person, staff, or body, and may provide for an alternative in event of a conflict.	Must adopt a planning commission of 3-12 members.	Must adopt a planning commission of 3-12 members.
Initiative and Referendum	May adopt	May not adopt.	May not adopt.
Annexation Petition Signature Requirement	Qualified electors equal to 10% of votes cast at last state general election.	Qualified electors equal to 20% of votes cast at last state general election.	Qualified electors equal to 20% of votes cast at last state general election.

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Powers	Code City	Second Class City	Town
Allowance of Wards	Yes with no restrictions.	Yes with a maximum number of wards permitted.	Cannot have wards.
Ordinance Effective Date	Five days after publication.	Five days after publication.	Immediately upon publication.

** Only applies in mayor-council form of government*

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Additional resources:

Directory of Washington City & Town Officials, MRSC
Lists each Washington city with address, phone number, population, class of government, and principal city officials.

Code City Handbook, MRSC

Town Handbook, MRSC

Change in classification or form of government

The classification of a city or town can be changed. Cities and towns have the power to advance their classification when the population increases sufficiently and there is an election (RCW 35.06). A city or town with at least 10,000 inhabitants may become a first class city by adopting a charter. A town with at least 1,500 inhabitants may become a second class city (RCW 35.06.010).

Any incorporated city or town may become a non-charter code city by following the procedures in RCW 35A.02.

Any city may also change its form of government. In general, the procedure may be initiated either by a resolution adopted by the city council or by a petition process, both followed by an election.

Washington cities classification & form of government summary

Class	Mayor-Council	Council-Manager	Commission	Total
First	6	4	0	10
Second	9	0	0	9
Town	69	0	0	69
Code	142	49	1	192
Unclassified	1	0	0	1
Total	227	53	1	281

See MRSC's *Directory of Washington City & Town Officials* for specific data on each city, its population, classification, and form of government.



City and Town Forms of Government

This page provides a basic overview of the mayor-council, council-manager, and commission forms of government in Washington State, including links to statutes, city charters, statistics, and procedures for changing form of government.

Overview

Washington cities and towns are organized under three principal forms of government:

- Mayor-council form
- Council-manager form
- Commission form

Each of these alternative forms represents a somewhat different approach to organizing the political and administrative structure of a city or town government. In addition, state law permits cities under certain circumstances to adopt charters unique to their communities.

To look up any city or town's form of government, use MRSC's [City and Town Profiles](#).

In general, choosing the form of government is not a matter of *how much* legislative and/or administrative authority the city or town will have. That will be the same regardless of the form that is selected. The most significant differences stem from the location and distribution of authority between the legislative and executive officials. These factors account for most of the differences between the two primary forms of government, mayor-council and council-manager, and have different implications for how a city or town will be governed and administered. For more information, see MRSC's handout on [Common Issues and Pro/Con Arguments in Elections to Change Form of Government](#).

Number of Cities by Classification and Form of Government

Class	All Cities	Mayor-Council	Council-Manager	Commission
First	10	6	4	0
Second	9	8	0	0
Town	69	69	0	0
Code	192	143	49	1
Unclassified	1	1	0	0
Total	281	227	53	1

Mayor-Council

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Mayor-council is the most common form of government in Washington. As of 2015, this system is used by 227 cities in Washington, comprising almost 60% of the incorporated population, and includes small and large cities alike. The basic structure and organization of mayor-council cities is set out in [Ch. 35A.12 RCW](#).

The mayor-council form consists of an elected mayor (elected at-large), who serves as the city's chief administrative officer, and a council (elected either at-large or [from districts](#)), which serves as the municipality's legislative body. The council has the authority to formulate and adopt city policies and the mayor is responsible for carrying them out. The mayor attends and presides over council meetings but does not vote, except in the case of a tie.

Mayoral veto authority is specified in the state laws relating to each city classification or is determined by local charter. In first class cities, the mayor's veto authority is specified in the city charter. In second class cities, the mayor may veto an ordinance, but the mayor's veto can be overridden by five members of the council. In code cities, the mayor may veto ordinances, but the mayor's veto can be overridden by a majority plus one of the entire council membership. Town mayors do not have a veto power.

City Administrator

Many mayor-council cities have hired professional city administrators (sometimes also called chief administrative officers or CAOs) to serve under the mayor and assist with administrative and policy-related duties. By doing so, these cities seek to gain the benefits of professional management, allowing the mayor to focus greater attention on policy development, political leadership roles, or their own livelihood. Below are a number of examples of cities that have established city administrators and the duties assigned to them. Also, see our list of [cities and towns with administrator positions](#).

- [Camas Municipal Code Ch. 2.06](#)
- [Chewelah Municipal Code Ch. 2.04](#)
- [Enumclaw Municipal Code Ch. 2.08](#)
- [Kent Municipal Code Ch. 2.06](#)

Council-Manager

Council-manager is the other common form of government in Washington. As of 2015, this system is used by 53 cities in Washington comprising over 40% of the incorporated population, including quite a few medium-to-large cities. The basic structure and organization of council-manager governments is set out in [Ch. 35.18 RCW](#) (non-code cities) and [Ch. 35A.13 RCW](#) (code cities).

The council-manager form consists of an elected city council which is responsible for policymaking, and a professional city manager, appointed by the council, who is responsible for administration. The city manager provides policy advice, directs the daily operations of city government, handles personnel functions (including the power to appoint and remove employees) and is responsible for preparing the city budget.

Under the council-manager statutes, the city council is prohibited from interfering with the manager's administration. The city manager, however, is directly accountable to and can be removed by a majority vote of the council at any time.

The council-manager form is based on the model of a business with a board of directors that appoints a chief executive officer. Another familiar public example is the school board-superintendent relationship.

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The mayor in council-manager cities is generally selected by the city council. The person selected must also be a councilmember. The charter of a first class city or the voters of an optional municipal code city, according to the provisions of [RCW 35A.13.033](#), may provide for the mayor to be directly elected by the people. The mayor presides at council meetings and is recognized as the head of the city for ceremonial purposes, but has no regular administrative duties.

Comparison of Mayor-Council vs. Council-Manager

Characteristics	Mayor-Council	Council-Manager
Legislative authority	Council	Council
Executive authority	Elected mayor	Appointed manager
Selection of CEO	Popularly elected	Appointed by council on the basis of experience
Removal of CEO	Recall election	Removed by a majority vote of the council
Tenure of executive	4-year term	Indefinite
Tenure of council	4-year term	4-year term
Appointment of department heads	Mayor (with council confirmation if provided)	Manager (no council confirmation)
Removal of department heads	Mayor	Manager
Veto	Mayor	Manager has no veto
Policy development	Mayor can propose	Manager can recommend
Policy implementation	Mayor	Manager
Underlying principles	Separation of powers Political leadership Strong central executive	Separation of politics from administration Promotion of economy and efficiency through professional management Strong central executive Business model

Commission

City commissions used to be a popular form of government in the early part of the 20th century, but only one city, Shelton, still operates under this system. The basic structure and organization of the commission form of government is laid out in [Ch. 35.17 RCW](#).

The commission form provides for the election of three commissioners who function collectively as the city legislative body and individually as city department heads. The three are elected at-large to fill the specific offices of commissioner of public safety (who also serves as the mayor), commissioner of finance and accounting, and commissioner of streets and public improvements (public works).

Although one of the elected commissioners also has the title of mayor, they have essentially the same powers as the other commissioners, with no veto power nor any power to direct city administration except within their own department. The commission appoints and removes officials by a majority vote.

City Charters



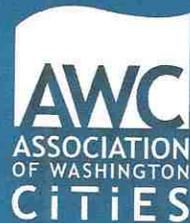
City and Town Forms of Government

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Mayor & Councilmember

h a n d b o o k



Roles of the mayor and council

Policy making & implementation

Mayor

- Keep council informed on city affairs.
- Propose policy.
- Implement policy adopted by council.
- Report back to council regarding policy implementation and possible improvements.

Council

- Listen to city residents - keep track of their concerns and wishes.
- Discuss, develop, and adopt city policies governing many aspects of city operations.

Personnel matters

Mayor

- Hire, fire, supervise and discipline all city employees (in some cities council confirmation of certain appointments can be required). Civil service rules and labor contracts must be followed, if applicable.
- Negotiate labor contracts (sometimes mayor is not member of negotiating team).

Council

- Adopt personnel policies, establish positions, set wages and benefits - council should not meddle in mayor's supervision of employees or interfere with work of employees.
- Establish bargaining parameters and approve final labor contract.

City budget

Mayor

- Work with staff to develop preliminary budget.
- Lead council in process of establishing goals and priorities for the city.
- Implement budget adopted by council, provide regular financial reports, and present alternatives when council has to deal with budget problems.

Council

- Establish goals and priorities which provide framework for budget - discuss and adopt final budget - amend budget as needed.
- Set city tax rates, to the extent permitted by statutes.
- Set utility rates and other fees as required.

Council meetings

Mayor

- Prepare agenda, preside over meetings, report to council on matters involving city administration, propose policy initiatives or changes.
- Vote on measures to the extent allowed by the statutes. Veto ordinances, as permitted by statutes.
- As presider, facilitate an orderly meeting process.

Council

- Adopt council rules of procedure.
- Participate in preparation of council meeting agenda as provided in council rules.
- Discuss all policy matters and make decisions following the adopted rules.

Land use and planning

Mayor

- Supervise planning staff, who make recommendations to the planning commission and council on a broad range of planning issues.
- Supervise staff who enforce building codes and other development regulations.

Council

- Adopt and amend zoning, development regulations, and comprehensive plan after receiving input from staff, residents, planning commission, and others.
- Act in quasi-judicial capacity to decide land use issues.
- Amend planning documents as necessary.

City expenditures, contracts

Mayor

- Sign contracts, supervise contract performance, enforce contracts.

Council

- Approve contracts and all city expenditures.

Relationships with other entities

Mayor

- Represent city as official spokesman, in accordance with views or goals set by council.
- Act as official head of city for ceremonial events (ribbon cuttings, sister-city contacts, etc.).

Council

- Decide whether city will participate in optional government organizations, provide guidance to mayor or other city representatives.
- May serve as city representative on certain intergovernmental bodies where mayor is not designated member.

The job of a councilmember

The principal job of a city or town council is to make policy. A policy is a course of action for a community. Policy-making often takes the form of passing ordinances or resolutions. After policy decisions are made by the legislative body, others perform the administrative task of implementing the policies. The distinction between formulation and implementation may not always be clear, necessitating open communication between legislators and administrators.

Adopting policy

The council does not make policy in a vacuum. Councils rely on ideas from many sources, including the council staff, citizens' groups, advisory committees, chambers of commerce, and others. It is the council's responsibility to consider the merits of each idea and then approve, modify, or reject it. In doing so, councilmembers analyze community needs, program alternatives, and available resources. The decision often takes the form of an ordinance or resolution, although it may take the form of a rule, regulation, motion, or order. The budget and comprehensive plan are powerful policy tools that are adopted by ordinance.

So, who actually runs the city?

It is important to recognize that it is not the role of the councilmember to administer city affairs. The council sets policy, but it is either the mayor - in mayor-council cities, or the city manager - in council-manager cities, that actually sees that the policies are implemented. This means that it is not the role of the councilmember to supervise city employees on the job or become involved in the day-to-day administration of city affairs. This can be a source of conflict between the executive and legislative branches of city government.

Responding to citizen complaints

Residents often contact a councilmember when they have a problem, whether it involves a land use matter, a barking dog, or a pothole. Don't hesitate to send them to the appropriate city staff person for resolution of their problems, keeping in mind that you lack the authority to take action in administrative matters.

Relationship with the city attorney

In most cities the mayor appoints the city attorney, whether that position is full time or part time. In some cities the council takes an active role in arranging for the provision of legal services through a contractual arrangement. Regardless of how the position is established, remember that though the mayor or city manager typically has more contact with the city attorney than the councilmembers or city staff, the city attorney's job is to advise all of the city officials. Sometimes councilmembers feel that the city attorney is the mayor's or manager's attorney, particularly if the city attorney generally supports the mayor's or manager's position in situations where the answer is unclear.

Question & answers

Q. What is the role of the city council regarding employee discipline, and what input can the council have concerning performance appraisals of employees?

A. Though the council may be concerned about employee discipline and how certain employees are performing their duties, the council should not be involved in any individual situations. While the council can establish personnel policies and voice their concerns to the mayor, it is solely the mayor's job to discipline and supervise city employees, including conducting performance evaluations.

Q. Is the mayor or city manager required to inform council members prior to terminating or disciplining a city employee?

A. No. However, when a particular termination or discipline is likely to be controversial, the mayor may want to notify the council and explain the decision in an executive session. Disciplinary and termination decisions should be reviewed with the city attorney prior to action being taken. The mayor and councilmembers should be careful to not discuss specific cases outside of an executive session.

Neither the mayor nor the city manager can prohibit the council from having access to the city attorney for advice. For financial reasons, the mayor or manager may feel that questions to the city attorney should be channeled through the executive's office, to avoid possible duplication and to make sure that the questions are presented clearly. Ultimately, it is up to the council to establish procedures on how city attorney services are provided.

Some smaller cities try to minimize their fees for legal services by not having the city attorney regularly attend council meetings. That can be thrifty, but shortsighted, particularly when the council is dealing with controversial matters such as land development, or complex procedural issues such as LIDs.

Personnel management

The statutes generally give the mayor or city manager, as chief executive, the broad authority to hire and fire employees.

The city council, however, determines the number of employees that can be hired and those employees' duties. The council establishes salaries and other forms of compensation paid city workers. The council may also establish job qualifications.

One piece of advice is to have good, consistent personnel policies. Up-to-date, clearly written policies help avoid lawsuits, promote consistency, and contribute to employee morale.

Labor relations

Unions have a significant presence in Washington cities. Most city employees have the right to organize under state law and have joined state-wide unions or formed local associations. The city must negotiate labor contracts with these unions over wages, hours and working conditions.

In particular, most police and fire departments are unionized. Except for very small cities, police and fire unions have access to interest arbitration when an impasse in bargaining occurs. This can create a unique dynamic in police and fire negotiations, given the potential for an outside arbitrator to make decisions regarding wages, benefits and contract language.

Open government laws

Compliance with public disclosure and open meetings builds citizen trust. The Open Government Training Act requires elected officials to be trained on public disclosure, the Open Public Meetings Act, and records retention within 90 days of taking office and every four years thereafter.

Local laws - ordinances and resolutions

How does the council adopt policy? Typically, a council will adopt policy through the passage of ordinances and resolutions at council meetings.

Difference between ordinances and resolutions

An ordinance is a local law of a municipal corporation, prescribing general rules of conduct. Ordinances may be used for a variety of purposes, including administrative actions such as establishing offices and setting salaries, or they may be used for actions that control the conduct of the public. An ordinance is a legislative enactment, within its sphere, as much as an act of the state legislature.

A resolution, on the other hand, is typically an act that is less solemn or formal than an ordinance and may be no more than an expression of the opinion of the official body. Legislation must be enacted via ordinance. Deciding in any particular case what constitutes legislation may require reference to case law, but the general guiding principle is that “[a]ctions relating to subjects of a permanent and general character are usually regarded as legislative, and those providing for subjects of a temporary and special character are regarded as administrative...” (*Durocher v. King County*, 80 Wn.2d 139, 153, 492 P.2d 547 (1972).)

When deciding whether to use an ordinance or a resolution, a good first step is to refer to the city charter and state law (RCW’s). Some state statutes leave the form of action to be employed to the discretion of the legislative body. If the charter and the code are silent as to the mode of decision-making, and the action is not “legislation,” then either a resolution or an ordinance may be used.

Rules for adopting ordinances

The state statutes for each class of municipality do contain some procedural requirements which govern the adoption of ordinances. However, these procedural requirements are generally not complicated and do not require an elaborate adoption procedure. For a comprehensive discussion of adoption procedures, including information on requirements for signatures on ordinances and publication of ordinances, see MRSC Report No. 50, which is entitled *Local Ordinances - The Drafting, Compilation, Codification and Revision of Ordinances*.

Many cities and towns have adopted local rules of procedure that relate to the adoption of ordinances, and these, of course, must be followed. For example, although the state statutes do not require that an ordinance be read more than once in most circumstances prior to adoption, many local rules of procedure do contain such a requirement. Therefore, it is important that councilmembers familiarize themselves with the local rules of procedure, as well as the state statutory requirements in regard to adoption requirements for ordinances.

An ordinance is a local law of the city.

A resolution is typically an act that is less formal than an ordinance.

Mayor-council code cities - Mayor's authority

RCW 35A.12

There are currently 192 code cities in Washington: 142 have the mayor-council form of government, 49 have the council-manager form of government, and one has the commission form of government.

Residency requirement for mayor and councilmembers

*No person shall be eligible to hold elective office under the mayor council plan unless the person is a registered voter of the city at the time of filing his declaration of candidacy and has been a resident of the city for a period of at least one year next preceding his election. Residence and voting within the limits of any territory which has been included in, annexed to, or consolidated with such city is construed to have been residence within the city.*²⁶

Prohibition on holding any other office or employment

*A mayor or councilman shall hold within the city government no other public office or employment except as permitted under the provisions of RCW 42.23.*²⁷

Oath of office

*The mayor and councilmembers shall qualify by taking an oath or affirmation of office and as may be provided by law, charter, or ordinance.*²⁸

Filling vacancy in office of mayor or councilmember

*The office of a mayor or councilmember shall become vacant if the person who is elected or appointed to that position fails to qualify as provided by law, fails to enter upon the duties of that office at the time fixed by law without a justifiable reason, or as provided in RCW 35A.12.060 or 42.12.010. A vacancy in the office of mayor or in the council shall be filled as provided in RCW 42.12.*²⁹

Appointment and termination authority

The mayor shall have the power of appointment and removal of all appointive officers and employees subject to any applicable law, rule, or regulation relating to civil service. The head of a department or office of the city government may be authorized by the mayor to appoint and remove subordinates in such department or office, subject to any applicable civil service provisions.

*All appointments of city officers and employees shall be made on the basis of ability and training or experience of the appointees in the duties they are to perform, from among persons having such qualifications as may be prescribed by ordinance or by charter, and in compliance with provisions of any merit system applicable to such city. Confirmation by the city council of appointments of officers and employees shall be required only when the city charter, or the council by ordinance, provides for confirmation of such appointments. Confirmation of mayoral appointments by the council may be required by the council in any instance where qualifications for the office or position have not been established by ordinance or charter provision. Appointive offices shall be without definite term unless a term is established for such office by law, charter or ordinance.*³⁰

The above-quoted statute gives to mayors in mayor-council code cities sole authority to terminate city appointive officers and employees (subject to any applicable civil service rule or subject to any other specific statute). The statute does, however, allow the city council to provide for confirmation of mayoral appointments if the council has not previously established specific qualifications for the position through passage of an ordinance. If the council has established qualifications for a particular position, then those qualifications act as a limitation of the mayoral appointment authority. Note that in order to take advantage of this statutory authority, the council must first pass an ordinance providing for such confirmation powers.

Though the mayor has broad authority to terminate employees, because such action may result in litigation, termination decisions and procedures should be carefully reviewed with the city attorney prior to taking action.

General administrative authority

The mayor shall be the chief executive and administrative officer of the city, in charge of all departments and employees, with authority to designate assistants and department heads. The mayor may appoint and remove a chief administrative officer or assistant administrative officer, if so provided by ordinance or charter. He shall see that all laws and ordinances are faithfully enforced and that law and

²⁶RCW 35A.12.030, in part

²⁷RCW 35A.12.030, in part

²⁸RCW 35A.12.040, in part

²⁹RCW 35A.12.050

³⁰RCW 35A.12.090

*order is maintained in the city, and shall have general supervision of the administration of city government and all city interests.*³¹

Approval of official bonds, contract enforcement, instituting litigation

*All official bonds and bonds of contractors with the city shall be submitted to the mayor or such person as he may designate for approval or disapproval. He shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed, and to this end he may cause any legal proceedings to be instituted and prosecuted in the name of the city, subject to approval by majority vote of all members of the council.*³²

Presiding at council meetings, casting tie-breaking votes, reports to council, preparation of proposed budget, veto power

*The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmen with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money. He shall report to the council concerning the affairs of the city and its financial and other needs, and shall make recommendations for council consideration and action. He shall prepare and submit to the council a proposed budget, as required by RCW 35A.33. The mayor shall have the power to veto ordinances passed by the council and submitted to him as provided in RCW 35A.12.130 but such veto may be overridden by the vote of a majority of all council members plus one more vote.*³³

The tie-breaking power of the mayor has generated confusion, partly because of the phrase “a tie in the votes of the councilmen with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.” Clearly the mayor cannot break a tie vote on an ordinance; nor can the mayor break a tie vote on the granting or revoking of a franchise or license.

MRSC has interpreted the phrase “resolution for the payment of money” quite narrowly, limiting it to resolutions such as those approving the payment of vouchers or other city claims. That narrow interpretation means that the mayor can cast the tie-breaking vote on a resolution concerning matters such as whether to proceed with a specific public works project, which will at a later date result in the expenditure of city funds. There are no state appellate court cases or Attorney General opinions which provide guidance on this issue.

Ceremonial role

*The mayor shall be the official and ceremonial head of the city and shall represent the city on ceremonial occasions, except that when illness or other duties prevent the mayor's attendance at an official function and no mayor pro tempore has been appointed by the council, a member of the council or some other suitable person may be designated by the mayor to represent the city on such occasion.*³⁴

Authority to call special meetings of city council

*Special meetings may be called by the mayor or a majority of the council by written notice delivered to each member of the council at least twenty four hours before the time specified for the proposed meeting.*³⁵

Mayoral authority to call a special meeting is also provided by one of the statutes in the Open Public Meetings Act:

*A special meeting may be called at any time by the presiding officer of the governing body of a public agency or by a majority of the members of the governing body by delivering personally or by mail written notice to each member of the governing body...*³⁶

Note that RCW 35A.12.110 allows three councilmembers of a seven-member council to call a special meeting, whereas RCW 42.30.080 requires a majority of the councilmembers to call a special meeting (that would be four councilmembers in a city with a seven-member council).

³¹RCW 35A.12.100

³²RCW 35A.12.100, in part

³³RCW 35A.12.100, in part

³⁴RCW 35A.12.100, in part

³⁵RCW 35A.12.110

³⁶RCW 42.30.080, in part

Preparation of preliminary budget

RCW 35A.33 sets out the responsibilities of the mayor in a code city in regard to budgeting. By definition, the term “chief administrative officer” as used in the budget statutes refers to the mayor in a code city operating under the mayor-council form of government:

“Chief administrative officer” as used in this chapter includes the mayor of cities having a mayor council form of government, the commissioners in cities having a commission form of government, the city manager, or any other city official designated by the charter or ordinances of such city under the plan of government governing the same, or the budget or finance officer designated by the mayor, manager or commissioners, to perform the functions, or portions thereof, contemplated by this chapter.³⁷

The chief administrative officer (mayor) is required to prepare the preliminary budget in detail and submit it by a certain date.

The chief administrative officer shall prepare the preliminary budget in detail, making any revisions or addition to the reports of the department heads deemed advisable by such chief administrative officer and at least sixty days before the beginning of the city’s next fiscal year he shall file it with the city clerk as the recommendation of the chief administrative officer for the final budget. The clerk shall provide a sufficient number of copies of such preliminary budget and budget message to meet the reasonable demands of taxpayers therefor and have them available for distribution not later than six weeks before the beginning of the city’s next fiscal year.³⁸

Budget message to council

In every code city a budget message prepared by or under the direction of the city’s chief administrative officer shall be submitted as a part of the preliminary budget to the city’s legislative body at least sixty days before the beginning of the city’s next fiscal year and shall contain the following:

(1) An explanation of the budget document;

- (2) An outline of the recommended financial policies and programs of the city for the ensuing fiscal year;*
- (3) A statement of the relation of the recommended appropriation to such policies and programs;*
- (4) A statement of the reason for salient changes from the previous year in appropriation and revenue items;*
- (5) An explanation for any recommended major changes in financial policy.*

Prior to the final hearing on the budget, the legislative body or a committee thereof, shall schedule hearings on the budget or parts thereof, and may require the presence of department heads to give information regarding estimates and programs.³⁹

Expenditure limitations

The expenditures as classified and itemized in the final budget shall constitute the city’s appropriations for the ensuing fiscal year. Unless otherwise ordered by a court of competent jurisdiction, and subject to further limitations imposed by ordinance of the code city, the expenditure of city funds or the incurring of current liabilities on behalf of the city shall be limited to the following:

- (1) The total amount appropriated for each fund in the budget for the current fiscal year, without regard to the individual items contained therein, except that this limitation shall not apply to wage adjustments authorized by RCW 35A.33.105; and*
- (2) The unexpended appropriation balances of a preceding budget which may be carried forward from prior fiscal years pursuant to RCW 35A.33.150; and*
- (3) Funds received from the sale of bonds or warrants which have been duly authorized according to law; and*
- (4) Funds received in excess of estimated revenues during the current fiscal year, when authorized by an ordinance amending the original budget; and*
- (5) Expenditures required for emergencies, as authorized in RCW 35A.33.080 and 35A.33.090.⁴⁰*

³⁷RCW 35A.33.010(4)

³⁸RCW 35A.33.052

³⁹RCW 35A.33.055

⁴⁰RCW 35A.33.120, in part

Emergency management - all cities & towns

In all cities and towns the mayor is the "executive head" who is authorized to take charge when there is an emergency or disaster.⁴⁵ All cities are directed to establish a local organization for emergency management and adopt an emergency management plan which is certified as being consistent with the state emergency management plan.⁴⁶ Chapter 118 in the Washington Administrative Code (WAC) contains the rules adopted by the State Division of Emergency Management which apply to all municipalities. Because each city and town has its own unique situation, emergency plans vary considerably. While some cities have chosen to establish emergency management director positions and have delegated extensive authority to those individuals, many smaller cities have chosen to coordinate their plan with the county and rely heavily upon the county for assistance in the event of an emergency.

WAC 118 06 040 Responsibilities of Political Subdivisions

- (1) *A political subdivision must establish an emergency services organization by ordinance or resolution passed by the legislative body of the political subdivision.*
- (2) *In the event that two or more political subdivisions want to join in the establishment of an emergency services organization, each political subdivision must establish said organization by ordinance or resolution passed by the legislative body of the political subdivision. Such ordinance or resolution shall specify the joint relationship being entered into with one or more political subdivisions.*
- (3) *Each political subdivision must specify in the ordinance or resolution establishing the emergency services organization that the agency shall be headed by a director of emergency services who shall be appointed by and directly responsible to the executive head of the political subdivision.*
- (4) *In the case of an emergency services organization established by two or more political subdivisions, such political subdivisions shall specify in the ordinances or resolutions establishing the organization that the local government agency shall be headed by a director of emergency services who shall be appointed by the joint action of the executive heads of the constituent political subdivisions. The political subdivisions shall specify by ordinances or resolutions that the emergency services director shall be directly responsible to the executive heads of the constituent political subdivisions.*

- (5) *Each political subdivision shall specify by ordinance or resolution that the director of emergency services shall be directly responsible for the organization, administration, and operation of the emergency services organization.*
- (6) *In the case of two or more political subdivisions joining in the establishment of a single emergency services organization, each political subdivision shall specify in the ordinance or resolution establishing the organization how the costs of supporting the organization shall be equitably shared between the constituent political subdivisions.*
- (7) *Each political subdivision shall submit a copy of the ordinance or resolution establishing its emergency services organization to the state director for evaluation and approval of the organizational plan or structure.⁴⁷*

Read your city's or town's emergency management plan thoroughly. If you have questions concerning your role and authority, review the plan with your city or town attorney. If you feel that changes should be made, review proposed amendments with your council.

The state legislature has granted broad authority to cities and towns to take all necessary action to deal with a disaster:

- (2) *In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in RCW 38.52.020 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.⁴⁸*

⁴⁵RCW 38.52.010(8) and WAC 118-06-040

⁴⁶RCW 38.52.070(1)

⁴⁷WAC 118-06-040

⁴⁸RCW 38.52.070(2)

Transfers between individual appropriations within any one fund

Transfers between individual appropriations within any one fund may be made during the current fiscal year by order of the city's chief administrative officer subject to such regulations, if any, as may be imposed by the city council. Notwithstanding the provisions of RCW 43.09.210 or of any statute to the contrary, transfers, as herein authorized, may be made within the same fund regardless of the various offices, departments or divisions of the city which may be affected.⁴¹

Council control over appropriations to any one fund

The city council, upon a finding that it is to the best interests of the code city to decrease, revoke or recall all or any portion of the total appropriations provided for any one fund, may, by ordinance, approved by the vote of one more than the majority of all members thereof, stating the facts and findings for doing so, decrease, revoke or recall all or any portion of an unexpended fund balance, and by said ordinance, or a subsequent ordinance adopted by a like majority, the moneys thus released may be reappropriated for another purpose or purposes, without limitation to department, division or fund, unless the use of such moneys is otherwise restricted by law, charter, or ordinance.⁴²

The budget responsibilities for mayors in mayor-council code cities operating under a biennial budget process are similar, but with a different timetable.⁴³

Appointment and authority of mayor pro tem

Biennially at the first meeting of a new council, or periodically, the members thereof, by majority vote, may designate one of their number as mayor pro tempore or deputy mayor for such period as the council may specify, to serve in the absence or temporary disability of the mayor; or, in lieu thereof, the council may, as the need may arise, appoint any qualified person to serve as mayor pro tempore in the absence or temporary disability of the mayor. In the event of the extended excused absence or disability of a councilman, the remaining members by majority vote may appoint a councilman pro tempore to serve during the absence or disability.⁴⁴

Note that unlike RCW 35.23.191, which defines the role of a mayor pro tem in a second class mayor-council city, RCW 35A.12.065 does not specifically limit the power of the mayor pro tem to appoint or remove officers, or to veto ordinances. This has led to some confusion concerning the powers of a mayor pro tem in a code city, and several code cities have passed ordinances specifically limiting the power of a mayor pro tem to appoint and remove officers or to veto ordinances.

Emergency management

The authority of the mayor to function as the "executive head" in case of emergency or disaster is the same in all cities and towns. See the "Emergency Management" section at the end of this appendix.

⁴¹RCW 35A.33.120, in part

⁴²RCW 35A.33.120, in part

⁴³See RCW 35A.34.080 and RCW 35A.34.090

⁴⁴RCW 35A.12.065

The mayor's leadership role

The mayor occupies the highest elective office in the municipal government, and as the political head of the city is expected to provide the leadership necessary to keep it moving in the proper direction. Effective mayors see themselves not only as leaders staking out policy positions but also as facilitators of effective teamwork.

As a mayor, you have a special set of long-term responsibilities, not shared by many others. You are supposed to be a community leader as well as a political leader. Yet most of the trials and tribulations you will face during your term of office will deal with city housekeeping kinds of activities. These day-to-day activities seem to be of most immediate concern to most citizens, and sometimes solving the little problems are the most fun.

But you need to find time to deal with the important policy issues and some of the long-term future concerns. Try to make your city a better place to live tomorrow, not just today.

If you can leave something of long-term consequence to your community, you will at least have the satisfaction of a job well done, and that is the principal reward of public service.

Setting goals

The role of the city council in any size of city is becoming more demanding and complex. In order to get anything accomplished, elected officials must work together to define and agree upon mutual goals. This is one of the most challenging aspects of being a mayor and working with a city council.

Goal setting provides a framework for city action. By setting short term and longer term goals, and then deciding which are most important, you and the council can define what your city government will try to achieve. Staff then have clear guidelines regarding what you and the council want to accomplish, and you have a way of evaluating your programs and services.

Establishing goals will help you keep on track and not get distracted by the brush fires.

Some cities plan goals through council retreats. Some may use outside facilitators to assist with this process.

See if you can help develop a vision of what your city should be like in the future, and work with others to that end.

Some of the mayor's leadership roles

Ceremonial role

The mayor's participation in local ceremonial events is a never-ending responsibility. The mayor is expected on a daily basis to cut ribbons at ceremonies opening new businesses, break ground for construction of new city facilities, and regularly appear at fairs, parades, and other community celebrations. The mayor also issues proclamations for a variety of purposes. As featured speaker before professional clubs, school assemblies and neighborhood groups, the mayor can expect to be interviewed, photographed and otherwise placed on extensive public display by the media.

Intergovernmental relations

Your city does not operate in a vacuum. Cities must work within a complex intergovernmental system. Keep in contact with and cooperate with your federal, state, county and school officials. Get to know the officials of neighboring and similar size cities.

Mayors take the lead in representing their local government to those from outside the community who are interested in joint ventures - including other local governments, regional organizations, and federal and state government representatives. In this area, mayors promote a favorable image of their local government and pursue resources that will benefit the community.

Public relations

Mayors inform the public, the media, and staff about issues affecting the community. This role is critical in building public support and facilitating effective decision making by the council.

Dealing with citizens

The most important trait a new official can cultivate is the simple ability to listen. You will quickly find that when irate citizens call on you to complain, they do not come to listen, they come to talk. So let them.

Make an effort to keep your constituents informed, and encourage citizen participation. Expect and respect citizen complaints. Make sure your city has a way to effectively deal with them.

Sitting in your position of new responsibility does not allow you to forget the people who elected you to office. They expect you to keep them informed and to give them an opportunity to express themselves. If you do this, your chances for success as a public official will be high indeed.

Dealing with the media

The media is your best contact with the public - it informs the community about what is happening and why. A good working relationship is mutually beneficial to both you and the media. Through the media, you have the opportunity to comment publicly on local issues and inform citizens of city activities. If you work hard to cultivate that relationship, you can ensure that the media have all the facts and provide accurate, fair coverage of city issues.

Public relations

- Remember that what you say, privately and publicly, will often be news. You live in a glass house. Avoid over-publicizing minor problems.
- Don't give quick answers when you are not sure of the real answer. It may be embarrassing later on.

The mayor as chief executive

Most people understand that the mayor is the chief executive of the city. When there is a serious emergency, such as a flood, residents properly assume that it is the mayor who has authority to take charge. Unfortunately, it is also assumed by some mayors that their power is almost supreme, even in the absence of an emergency.

Though the mayor has executive authority in a mayor-council city, that authority is defined by state law and must be exercised in a manner consistent with policy decisions made by the city council. There are statutory limitations on both what you can do and how you can do certain things. Appendix 1 lists the specific statutes which grant powers and responsibilities to the mayor. This chapter provides an overview of your chief executive responsibilities.

Administrative/policy maker distinction

Again, it is the council's role to adopt policies for the city and it is the mayor's role to administer or carry out those policies. The distinction sounds simple, but it can be the cause of much confusion and animosity.

Though a mayor does not set policy, as the elected chief executive it is certainly appropriate for the mayor to bring to the council policy options and recommendations. That is part of the leadership role of the mayor. That leadership role is particularly evident in the budget process, where the preliminary budget submitted to the council by the mayor is the proposed guideline for city priorities.

So, who actually runs the city?

In many of the smaller towns and cities in Washington, the city clerk is the person at city hall who does a lot of the day-to-day administration of the city. The clerk's duties are established by state statutes and city ordinances - this person typically is the person in charge of administration when the mayor is not at city hall.

In many cities, the mayor is employed full-time in another job and does not have the time to be at city hall taking care of administrative details. The mayor's salary in most municipalities clearly indicates that the job is not full-time.

As cities reach a larger size and the complexities of city administration become difficult for a part-time mayor and a city clerk to handle, some cities choose to create a new position titled "administrative assistant," "city administrator," or "executive assistant" to help with city administration, under the direction of the mayor. The individual in such a position is generally appointed by the mayor and performs tasks within the statutory authority of the mayor. The council can establish the qualifications and the duties of the position.

Only about a dozen Washington cities currently have full time mayors, though a growing number of cities have individuals who work full time as executive assistants to the mayor, as described above.

Some cities have chosen to change to a council-manager form of government when there is a consensus that a professional administrator would be better able to handle the city administration. The decision of whether a city should have a professional city administrator or city manager is complex, involving politics, finances, and the views of the people.

Responding to citizen complaints

Residents often contact the mayor when they have a problem, whether it involves a land use matter, a barking dog, or a pothole. Work with staff to resolve problems, keeping in mind that you are not the individual with all the answers.

For instance, as land use planning becomes more complex, don't be tempted to give a quick answer or a promise to a landowner before checking with the city's planning department or reviewing the city's development regulations. Consider referring callers to the staff person with the expertise, then follow up to make sure that the matter has been handled appropriately. If a matter is normally handled by the police department, direct the complainant to the police department.

City staff will appreciate your involvement if you make the proper referrals, and if you are careful to not make promises that are inconsistent with city procedures or policies.

If word gets out that complaining to the mayor gets a more prompt response to minor nuisance problems, you are bound to receive a lot of those calls. Did the people elect you to solve the barking dog problem, or did they elect you to make sure that city staff properly handle these minor issues?

Relationship with the city attorney

In most cities the mayor appoints the city attorney, whether that position is full-time or part-time. In some cities the council takes an active role in arranging for the provision of legal services through a contractual arrangement. Regardless of how the position is established, remember that though the mayor typically has more contact with the city attorney than the councilmembers or city staff, the city attorney's job is to advise all of the city officials. Sometimes councilmembers feel that the city attorney is the mayor's attorney, particularly if the city attorney generally supports the mayor's position in situations where the answer is unclear.

A mayor cannot prohibit the council from having access to the city attorney for advice. For financial reasons, the mayor may feel that questions to the city attorney should be channeled through the mayor, to avoid possible duplication and to make sure that the questions are presented clearly. Ultimately it is up to the council to establish procedures on how city attorney services are provided.

Some smaller cities try to minimize their fees for legal services by not having the city attorney regularly attend council meetings. That can be thrifty, but shortsighted, particularly when the council is dealing with controversial matters such as land development, or complex procedural issues such as LIDs.

Make your attorney's job easier

Inform the city attorney ahead of time when you see a legal issue brewing. No attorney wants to be asked a complex question at a council meeting without prior warning.

Instead of asking the city attorney without warning "Can we do ____?", give your attorney time to research the issue and ask: "How can we do ____?". City attorneys often get frustrated at having to inform the mayor and council that they cannot do something. They would rather use their creativity to come up with alternate ways to legally accomplish an objective.

The attorneys at MRSC are another good source of legal expertise. Please keep in mind that their advice is based on the facts you provide. Sometimes there are special factors involved, perhaps unique to your city. For that reason, when advised by MRSC to review an issue with your city attorney, please do so.

Public records disclosure

Be aware of your obligation to disclose city documents to the public, upon request. For example, when there is a request from the public for disclosure of a city document, the city must respond to the disclosure request in writing within five working days. The short time limit requires that the city staff have clear guidelines for how to process these requests. Most cities have adopted public disclosure procedures. If your city has not yet adopted public disclosure policies, consider making that recommendation to the council.

You should understand that many city records are exempt from disclosure, and there are even statutes which prohibit disclosure of some records. (See Appendix 3, Public Records Disclosure, for more details on what is disclosable.) The Open Government Trainings Act requires elected officials to be trained on public records, the OPMA, and records retention within 90 days of taking office and every four years thereafter.

Emergency management

In mayor-council cities, the mayor is statutorily in charge when there is an emergency or disaster. RCW 38.52 contains the state statutes requiring that every city and town adopt an emergency management plan. Some cities have joined with other cities or with the county and have established a joint emergency management agency, with a director who has been granted extensive authority for coping with an emergency.

The city clerk can provide you with a copy of your city's emergency management plan. Read it. Keep a copy readily available in both your office and at home. When a disaster happens you may need to coordinate the emergency response. Depending upon the type of emergency and its duration, you may want to seek the consultation or approval of the council for certain actions, if feasible. (See Appendix 1, Overview of Statutes, for further discussion of emergency management.)

In any disciplinary action -
hasten slowly.

Personnel management

The statutes generally give the mayor, as chief executive, broad authority to hire and fire employees. (See Appendix 1, Overview of Statutes.)

Realize, however, that employee lawsuits can be one of your largest areas of potential liability. There are legal limitations on the actions you take in hiring, discipline and discharge:

- State and federal laws, including court decisions. Laws relating to anti-discrimination, overtime compensation, safety, sexual harassment, and many others.
- The city's personnel policies, which may have been passed as an ordinance or adopted as administrative policies.
- Civil service - except for very small cities, most police and fire employees are protected by civil service. Some charter cities also provide civil service coverage for other city employees. Civil service governs hiring processes and provides hearings for disciplinary actions. Your actions may be subject to appeal to the local civil service commission (RCW 41.08 and 41.12).
- Union contracts - the terms of the labor contract prevail over other local regulations, including civil service rules and personnel rules. In many contracts, a grievance procedure provides for disciplinary appeals to an outside arbitrator.

Before you jump...

Prior to taking any serious disciplinary action, consult with your attorney. Your liability insurance carrier may also provide some preventative legal assistance.

Another tip is to have good, consistent personnel policies. Current and clearly-written policies help avoid lawsuits, promote consistency, and contribute to employee morale.

Labor relations

Unions have a significant presence in Washington cities. Most city employees have the right to organize under the state Collective Bargaining Act and have joined state-wide unions or formed local associations (RCW 41.56).

In particular, most police and fire departments are well-organized. Except for very small cities, police and fire are also subject to interest arbitration when an impasse in bargaining occurs. This can create a unique dynamic in police and fire negotiations.

Labor relations advice

- Know the terms of your labor contracts.
- You can't change wages, hours or working conditions without bargaining these issues with the union. This means you can't unilaterally implement a change in benefits, for example, without risking an unfair labor practice.
- You may or may not choose to be on the bargaining team. Be aware of the disadvantages: the process is very time consuming and may affect your day-to-day relationships with employees. Because city employees are often your constituents, you may have unions putting political pressure on you. Some cities hire professional consultants to bargain on behalf of management.

Question & answers

Q. What is the role of the city council regarding employee discipline, and what input can the council have concerning performance appraisals of employees?

A. Though the council may be concerned about employee discipline and how certain employees are performing their duties, the council should not be involved in any individual situations. While the council can establish personnel policies and voice their concerns to the mayor, it is solely the mayor's job to discipline and supervise city employees, including conducting performance evaluations.

Q. Is the mayor required to inform council members prior to terminating or disciplining a city employee?

A. No. However, when a particular termination or discipline is likely to be controversial, the mayor may want to notify the council and explain the decision in an executive session. Disciplinary and termination decisions should be reviewed with the city attorney prior to action being taken. The mayor and councilmembers should be careful to not discuss specific cases outside of an executive session.



Mayor and Council Roles and Responsibilities

RCW 35A.12.100**Duties and authority of the mayor—Veto—Tie-breaking vote.**

The mayor shall be the chief executive and administrative officer of the city, in charge of all departments and employees, with authority to designate assistants and department heads. The mayor may appoint and remove a chief administrative officer or assistant administrative officer, if so provided by ordinance or charter. He or she shall see that all laws and ordinances are faithfully enforced and that law and order is maintained in the city, and shall have general supervision of the administration of city government and all city interests. All official bonds and bonds of contractors with the city shall be submitted to the mayor or such person as he or she may designate for approval or disapproval. He or she shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed, and to this end he or she may cause any legal proceedings to be instituted and prosecuted in the name of the city, subject to approval by majority vote of all members of the council. The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money. He or she shall report to the council concerning the affairs of the city and its financial and other needs, and shall make recommendations for council consideration and action. He or she shall prepare and submit to the council a proposed budget, as required by chapter 35A.33 RCW. The mayor shall have the power to veto ordinances passed by the council and submitted to him or her as provided in RCW 35A.12.130 but such veto may be overridden by the vote of a majority of all councilmembers plus one more vote. The mayor shall be the official and ceremonial head of the city and shall represent the city on ceremonial occasions, except that when illness or other duties prevent the mayor's attendance at an official function and no mayor pro tempore has been appointed by the council, a member of the council or some other suitable person may be designated by the mayor to represent the city on such occasion.

RCW 35A.11.020**Powers vested in legislative bodies of noncharter and charter code cities.**

The legislative body of each code city shall have power to organize and regulate its internal affairs within the provisions of this title and its charter, if any; and to define the functions, powers, and duties of its officers and employees; within the limitations imposed by vested rights, to fix the compensation and working conditions of such officers and employees and establish and maintain civil service, or merit systems, retirement and pension systems not in conflict with the provisions of this title or of existing charter provisions until changed by the people: PROVIDED, That nothing in this section or in this title shall permit any city, whether a code city or otherwise, to enact any provisions establishing or respecting a merit system or system of civil service for firefighters and police officers which does not substantially accomplish the same purpose as provided by general law in chapter 41.08 RCW for firefighters and chapter 41.12 RCW for police officers now or as hereafter amended, or enact any provision establishing or respecting a pension or retirement system for firefighters or police officers which provides different pensions or retirement benefits than are provided by general law for such classes.

Such body may adopt and enforce ordinances of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the city, and may impose penalties of fine not exceeding five thousand dollars or imprisonment for any term not exceeding one year, or both, for the violation of such ordinances, constituting a misdemeanor or gross misdemeanor as provided therein. However, the punishment for any criminal ordinance shall be the same as the punishment provided in state law for the same crime. Such a body alternatively may provide that violation of such ordinances constitutes a civil violation subject to monetary penalty, but no act which is a state crime may be made a civil violation.

The legislative body of each code city shall have all powers possible for a city or town to have under the Constitution of this state, and not specifically denied to code cities by law. By way of illustration and not in limitation, such powers may be exercised in regard to the acquisition, sale, ownership, improvement, maintenance, protection, restoration, regulation, use, leasing, disposition, vacation, abandonment or beautification of public ways, real property of all kinds, waterways, structures, or any other improvement or use of real or personal property, in regard to all aspects of collective bargaining as provided for and subject to the provisions of chapter 41.56 RCW, as now or hereafter amended, and in the rendering of local social, cultural, recreational, educational, governmental, or corporate services, including operating and supplying of utilities and municipal services commonly or conveniently rendered by cities or towns.

In addition and not in limitation, the legislative body of each code city shall have any authority ever given to any class of municipality or to all municipalities of this state before or after the enactment of this title, such authority to be exercised in the manner provided, if any, by the granting statute, when not in conflict with this title. Within constitutional limitations, legislative bodies of code cities shall have within their territorial limits all powers of taxation for local purposes except those which are expressly preempted by the state as provided in RCW 66.08.120, * 82.36.440, 48.14.020, and 48.14.080.

Chapter 2.04 CITY COUNCIL¹

Sections:

- 2.04.010 Regular meetings – Time and place.
- 2.04.020 Regular meeting – Holiday adjustment.
- 2.04.030 Special and emergency meetings.

2.04.010 Regular meetings – Time and place.

The regular meetings of the city council of the city of West Richland, Washington, shall be held on the first and third Tuesday of each month at 7:00 p.m. in City Council Chambers, 3801 West Van Giesen Street, West Richland, Washington. [Ord. 12-11 § 1, 2011].

2.04.020 Regular meeting – Holiday adjustment.

If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day following the holiday. [Ord. 12-11 § 2, 2011].

2.04.030 Special and emergency meetings.

Special and emergency meetings of the city council may be called in the manner provided by the laws of the state of Washington. [Ord. 12-11 § 3, 2011].

¹Editor's Note: For statutory provisions on the city council, see RCW 35A.12.110 and 35A.12.120.

Chapter 2.24 ELECTION OF CITY OFFICIALS¹

Sections:

- 2.24.010 Declaration of candidacy – Required – Filing.
- 2.24.020 Declaration of candidacy – Withdrawal – Limitations.

2.24.010 Declaration of candidacy – Required – Filing.

A candidate for any elective office of the city shall file a declaration of candidacy with the county auditor. The declaration of candidacy shall be in such form and with such information as the laws of the state may require. Further, said declarations of candidacy for offices to be voted upon at any municipal general election shall be filed with the county auditor during the open filing period specified by the auditor's office in the year such general election is to be held. [Ord. 31-07 § 1, 2007; Ord. 299 § 1, 1979].

2.24.020 Declaration of candidacy – Withdrawal – Limitations.

Any candidate may withdraw his declaration of candidacy at any time, but not later than five days after the last day allowed for filing declarations of candidacy. No person may file a declaration of candidacy for more than one office. [Ord. 299 § 2, 1979].

¹Editor's Note: For statutory provisions on declarations of candidacy, see RCW 35A.29.110 and 29.18.030; for provisions on eligibility to hold elective office, see RCW 35A.12.030; for provisions on notice of election, see RCW 35A.29.140.

Chapter 2.28 COMPENSATION OF ELECTED OFFICIALS¹

Sections:

- 2.28.010 Council members.
- 2.28.020 Vehicle expense for city council members.
- 2.28.030 Mayor.
- 2.28.040 Vehicle expense for mayor.

2.28.010 Council members.

The rate of compensation for services as a city council member for those city council positions whose full four-year term commences after December 31, 2000, shall be \$350.00 per month. [Ord. 33-00 § 1, 2000; Ord. 28-98 § 1, 1998; Ord. 51-93 § 1, 1993; Ord. 322 § 1, 1979].

2.28.020 Vehicle expense for city council members.

In recognition of the expense incurred by city council members when using a private automobile for official city business in the cities of West Richland, Richland, Kennewick, and Pasco, commencing January 1, 1999, city council members shall be reimbursed at the rate of \$50.00 per month for said automobile expense.

Reimbursement to city council members for official business trips outside the cities of West Richland, Richland, Kennewick, and Pasco, when using a personal automobile, shall be on a per-trip basis according to the state allowance per mile. [Ord. 31-07 § 1, 2007; Ord. 28-98 § 1, 1998].

2.28.030 Mayor.

Commencing on the first day of January, 2000, the mayor shall be compensated for services as mayor at the rate of \$500.00 per month. Commencing on the first day of January, 2002, the mayor shall be compensated for services as mayor at the rate of \$550.00 per month. [Ord. 33-00 § 2, 2000; Ord. 28-98 § 1, 1998].

2.28.040 Vehicle expense for mayor.

In recognition of the expense incurred by the mayor when using a private automobile for official city business representing the city in the Tri-City area (West Richland, Richland, Kennewick,

35

and Pasco), commencing January 1, 1999, the mayor shall be reimbursed at the rate of \$100.00 per month for said automobile expense.

Reimbursement to the mayor for official business trips outside the Tri-City area, when using a personal automobile, shall be on a per-trip basis according to the state allowance per mile. [Ord. 28-98 § 1, 1998].

¹Editor's Note: For statutory provisions on compensation of code city elective officers, see RCW 35A.12.070.

AND TOWN COUNCIL

Sections:

- 2.00.010 Mayor.
- 2.00.020 Town council.
- 2.00.030 Mayor pro tempore.
- 2.00.040 Mayoral succession in absence of mayor.

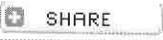
2.00.010 Mayor. SHARE

The mayor is the chief executive and administrative officer of the town in charge of carrying out the policies set by the town council and of seeing that local laws are enforced. Pursuant to state statute, the mayor has the following duties and responsibilities: preside over all meetings of the council at which (s)he is present and call special meetings of the council; prepare a proposed budget; sign all warrants drawn on the treasury; sign and enforce all written contracts entered into by the town; sign all conveyances made by the town and all instruments which require the seal of the town; appoint a clerk and a marshal; report to the council on the financial and other affairs and needs of the town; perform ceremonial duties as head of the town; and approve or disapprove all official bonds and contractor's bonds. The mayor may appoint a town attorney, a public works director, a civil engineer, police and such other appointive subordinate officers and employees as may be provided for by ordinance; may administer oaths and affirmations, and take affidavits and certify them; and may acknowledge the execution of all instruments executed by the town which require acknowledgment; and exercise all other authorities and perform all other duties and functions for mayors as provided by state statute. (Ord. 530 § 1, 2010)

2.00.020 Town council. SHARE

The town council is the legislative authority of the town and has the power to enact laws and policies, consistent with state law, needed or desired to regulate local and municipal affairs within the jurisdiction of the town or its service areas. The council, comprised of five elected at-large council members, has the specific authority to: enact a town budget; define the powers, functions and duties of town officers and employees; fix the compensation of officers and employees; establish the working conditions of officers and employees; maintain retirement and pension systems; impose fines and penalties for the violation of city ordinances; enter into contracts; regulate the acquisition, sale, ownership and other disposition of real property; provide governmental, recreational, educational, cultural and social services; impose taxes and fees not otherwise prohibited by state law; cause the town to own and operate utilities; approve claims against the town; grant franchises for the use of public ways; and license, for the purpose of revenue and regulation, most any type of

business. The council also is authorized to establish rules governing its own procedures, including for public meetings and hearings; and exercise all other authorities and perform all other duties and functions for councils as provided by state statute. (Ord. 530 § 1, 2010)

2.00.030 Mayor pro tempore. 

A mayor pro tempore may be chosen by the council for a specified period of time, not to exceed six months, to act as the mayor in the absence of the mayor. The mayor pro tempore shall be appointed from the ranks of the town council members for six-month periods of service, on a continuous rotation by council position numbers from one to five. (Ord. 530 § 1, 2010)

2.05.050 Mayor and council members.

(1) Salary for the mayor is fixed as provided in the annual ordinance adopting the estimate of receipts and expenditures for the ensuing year, subject to CMC 2.05.010.

(2) Salaries for members of the council are fixed at \$50.00 per month for the year 2007, and shall be fixed annually as provided in the ordinance adopting the estimate of receipts and expenditures for the ensuing years, subject to CMC 2.05.010. (Ord. 495, 2007; Ord. 415 § 2, 2000; Ord. 397 § 1, 1999; Ord. 256 §§ 1, 2, 1970)

39**.05.010 Compensation.**

The compensation to be paid the elected and appointed officials of the town of Cathlamet shall be fixed in such sums as shall be annually provided in the ordinance adopting the estimate of receipts and expenditures for the ensuing year; provided, however, that no salary of any official shall be changed during the term for which such official was elected or appointed. (Ord. 203 § 1, 1946; Ord. 191 § 1, 1939)



City Administrator Old Job Description

City of West Richland
CLASSIFICATION DESCRIPTION
CITY ADMINISTRATOR

SUMMARY:

The City of West Richland, a strong Mayor form of government but the Mayor is a part time position. The City Administrators position is created to assure ordinances and policies are followed during daily operations. In addition, the City Administrator is responsible for coordination and execution of all mayoral decisions when the Mayor is not available.

SCOPE:

The City Administrator shall be responsible to execute the responsibilities as described herein. This position is a Director level position answering directly to the Mayor.

SUPERVISES:

Within the framework of state and local law and general city policy, directly supervises the positions of City Clerk, Police Chief, and City park maintenance personnel. Also directs, on an organizational-wide basis, the functions of Human Resources, contract/leases, risk management, property management and event scheduling and management of City park events.

Independently manages and directs all City functions as described herein. Has broad latitude for independent actions and decisions. Develops working relationships with elected and administrative officials to ensure cooperation and efficient operation of City government. Works closely with other cities and government agencies to ensure overall operations of the City are directed toward common regional goals and objectives.

ESSENTIAL FUNCTIONS:

- Works with Directors in the development of short and long term objectives to meet the goals and policies of the City; monitors functional objectives developed each year by Directors and reports progress on functional goals to the mayor and City Council on a regular basis.
- Assures efficient and responsible City operations by providing managerial leadership and direction as appropriate and with the concurrence of the Mayor. Assures major operational policies and objectives are carried out by assigned Directors, monitors progress and takes necessary corrective action; coordinates project and

program responsibilities with department heads and assures progress is measured and reported to the City Council.

- Participates in intergovernmental and inter-community groups and takes an active role in representing the City; serves as board member on intergovernmental agencies, committees and commissions when directed by the Mayor.
- Provides for citizen awareness of City goals and operations by maintaining close contact with citizens, responding to questions and making public presentations, press releases, and approving informational inserts and mailings.
- Provides oversight for all City facilities, properties and equipment.
- Oversees labor relations function of the City and recommends bargaining guidelines and settlements to the Mayor and City Council.
- Oversees preparation of the agenda for City Council meetings, consulting with the Mayor, City Clerk and Directors as needed to identify appropriate issues to include on the agenda; reviews and approves staff reports and recommendations.
- Provides primary interface with City Council and City staff; keeps the City Council informed of City program activities and events affecting City services.
- Participates in the preparation of the City's annual operating budget. Ensures Capital Facilities elements of the City's Comprehensive Plan are incorporated into the annual capital budget. The Mayor establishes administrative objectives for the budget and identifies budgetary constraints. The City Administrator reviews the budget requests submitted by Directors and together with the Mayor makes recommendations on the Draft Budget that is presented to the Council.
- When directed by the Mayor, oversees the City's intergovernmental relations function with federal, state, county and regional agencies; advocates City positions on proposed legislation and program regulations and reviewing grant applications prepared by City staff.
- Manages the contract for legal services for the City.
- Manages the parks and recreation functions in the City. Coordinates City events with citizen groups as required. Assures parks are maintained, uses controlled, and functions are coordinated. Attends Park Board meetings and assures their recommendations are sent to the Council.
- Assures the City Clerk is performing assigned responsibilities in accordance with job descriptions. Assures that requests for public information and council requests are handled promptly.
- Assures that the safety requirements for the city and citizens are being performed in a professional manner. Coordinates police functions with the Chief of Police.

- Assures the Human Resources (HR) function is performed in accordance with City Policies. Reviews HR policies and recommends changes as appropriate. Participates in the interview process for all open positions within the City. Coordinates with Directors and makes recommendations to the Mayor on all hiring and/or dismissal of City employees.
- Performs an annual review of employee compensation and benefits and makes recommendations to the Mayor when adjustments are needed.
- Point of contact for the news media. Coordinates with the appropriate Department Heads and Mayor to coordinate releases to the media. Assures all news releases are released promptly to the Council for information.
- Represents the Mayor in customer appeals on staff decisions relating to fees, permits, licensing, reader board use, claim processing, requests for public information, etc.

OTHER JOB DUTIES:

Legislative Issues

- Meets with a wide variety of civic and business leaders and community groups regarding their concerns, program priorities, and City services. ↓
- *And other duties as required by the Mayor.*

QUALIFICATIONS:

Education and Experience:

Bachelor's degree, or equivalent education and experience in city government. Ten years of progressively responsible management experience in public administration; Master's degree in public administration or related field is desirable; or any combination of education and experience, which would provide the applicant with the desired skills, knowledge, and ability, required to perform the job.

Knowledge, Skills, and Abilities:

- Comprehensive knowledge of the principles and practices of municipal government management.
- Thorough knowledge of effective managerial principles, practices and methods.
- Thorough knowledge of organization, with regard to carrying out complex, multi-faceted services, including budgeting processes.
- Considerable knowledge of short- and long-range planning processes.

- Ability to communicate both orally and in writing, including public speaking and presentation skills.
- Ability to develop and monitor work procedures and budget guidelines.
- Ability to establish and maintain effective working relationships with the City Council, elected officials, government agencies, other employees, and the general public.
- Ability to develop, organize, and direct comprehensive city-wide goals, objectives, and administrative operations

The statements contained herein reflect general details as necessary to describe the principal functions of this job, the level of knowledge and skill typically required and the scope of responsibility, but should not be considered an all-inclusive listing of work requirements.



Salary Commission Ordinance

WEST RICHLAND AGENDA ACTION ITEMS

AGENDA ITEM:		TYPE OF ACTION NEEDED			
MEETING DATE:	June 21, 2016	<i>Execute Contract</i>		<i>Consent Agenda</i>	
SUBJECT:	Approve Ordinance Establishing an Independent Salary Commission	<i>Pass Resolution</i>		<i>Public Hearing</i>	
		<i>Pass Ordinance</i>	X	<i>1st Discussion</i>	
Prepared by:	Bronson Brown, City Attorney	<i>Pass Motion</i>		<i>2nd Discussion</i>	
Reviewed by:	Jessica Platt, Finance Director	<i>Other</i>		<i>Other</i>	

SFA 3 – Financial & Operational Effectiveness, Stability, and Accountability

BACKGROUND INFORMATION:

The City of West Richland does not have a formal compensation plan for mayor and council positions. The city operates under a "Mayor-Council" form of government pursuant to Chapter 35A.12 of the Revised Code of Washington. The city has not had a city administrator since 2010.

The mayor is the chief executive and administrative officer of the city in charge of all departments and employees. The mayor, as CEO of the city, is in charge of all departments and employees, is responsible for seeing that all laws are enforced and order is maintained in the city, presides over all meetings of the city council, reports to the council concerning the affairs of the city and its financial and other needs, makes recommendations to the council to consider on the passage of laws, resolutions and other action and prepares and submits to the council a proposed biennial budget.

The council is comprised of seven at-large members. The city council's main tasks are the adoption and oversight of the city's budget, setting city policy and giving advice and consent on appointments made by the mayor to city boards and commissions. City council members also attend and may serve on regional boards and commissions and council subcommittees.

The current salary for the mayor position is \$550 a month. The last time the mayor's salary was adjusted was in 2002 increasing from \$500 to \$550 a month. The mayor also receives a monthly vehicle allowance of \$100 a month which was established in 2000.

The current salary for council members is \$350 a month. The last time the council salary was adjusted was in 2001 increasing from \$300 to \$350 a month. The council also receives a monthly vehicle allowance of \$50 per month which was established in 2000.

RCW 35.21.015 provides that a salary commission for elected officials of cities and towns may be established, by ordinance, with the members to be appointed by the mayor. The city council must approve the members selected by the mayor. Appointed salary commission members are only allowed to serve two terms. The duration of a term is not specified in the RCW, thus it must be stated in the ordinance creating the commission. Individuals that may not be appointed include: any officer, official, or employee of the city or town or any of their immediate family members. "Immediate family member" as used in this subsection means the parents, spouse, siblings, children, or dependent relatives of the officer, official, or employee, whether or not living in the household of the officer, official, or employee.

Any change in salary shall be filed by the commission with the city clerk and shall become effective and incorporated into the city budget without further action of the city council or salary commission. Salary increases established by the commission for all city or town elected officials shall become effective immediately, unless challenged. Salary decreases established by the commission shall not become effective for incumbent city or town elected officials until the commencement of their next term of office.

An increase or decrease is subject to challenge by referendum petition by the people of the city in the same manner as a city ordinance. The challenging referendum petition must be filed with the city clerk within 30 days of the salary commission filing their proposed salary change. A properly filed referendum petition shall be submitted to the voters at the next following general or municipal election occurring at a minimum 30 days after the petition is filed. That referendum shall be governed by the provisions of the state constitution, or city charter, or laws generally applicable to referendum measures.

RCW 35.21.015 does not specify a required number of members to be appointed to the salary commission. The number of members on a salary commission typically ranges from three to seven members. In the attached ordinance, 5 commission members are recommended with three members representing a quorum in case some members are not available to attend a particular meeting. A commission member may only be removed during their terms of office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence.

Attachments:

1. RCW 35.21.015
2. RCW 35A.12.070
3. Ordinance

SUMMARY: Mayor and Council salaries have not been adjusted in over 14 years. The attached ordinance establishes an independent salary commission for the City of West Richland for the purpose of setting the salaries of the Mayor and City Council Members.

RECOMMENDATION: Passage of ordinance.

ALTERNATIVES: Do not form an independent salary commission to set Mayor and Council salaries.

FISCAL IMPACT (Indicate amount, fund and impact on budget): As determined by the salary commission.

MOTION: I move to pass Ordinance ___-16

**CITY OF WEST RICHLAND
ORDINANCE NO. 10-16**

**AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON
ADDING SECTION 2.18, SALARY COMMISSION TO THE WEST
RICHLAND MUNICIPAL CODE**

WHEREAS, RCW 35A.12.070 provides that elected official's salaries are to be set by ordinance; and

WHEREAS, RCW 35.21.015 allows the Council to delegate such authority to a salary commission;

WHEREAS, the current salaries for the elected officials have not been adjusted in more than fourteen (14) years; and

WHEREAS, the City of West Richland's population in 2002 was 8,930 and has increased to 13,960 in 2015 according to the Office Of Financial Management; and

WHEREAS, the West Richland City Council has determined to create a commission for the purpose of setting the salaries of the Mayor and City Council;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, do ordain as follows:

Section 1. West Richland Municipal Code 2.18, Salary Commission, is hereby established to read as follows:

2.18.010 Commission Created – Purpose. An independent salary commission is hereby created for the purpose of setting the salaries of the Mayor and City Council Members of the City of West Richland. The official name of the Commission shall be the West Richland Salary Commission.

2.18.020 Definitions. "Salary" or "Salaries," means any fixed compensation paid periodically for work or services. This definition expressly excludes the total cost of any medical or other benefits provided to any Council Member, as well as any expenses paid or reimbursed on behalf of a Council Member in compliance with the City's travel policy and procedures.

2.18.030 Membership – Appointment. The West Richland Salary Commission shall be composed of five (5) members appointed by the Mayor with confirmation by the City Council. No member shall be an officer, official, or employee of the City of West Richland ("City") nor shall any of his or her immediate family members be members of the Salary Commission. For purposes of this Ordinance, "immediate family member" means the parents, spouse, siblings, children, or dependent relatives of the officer, official, or employee, whether or not living in the household of the officer, official, or employee. All members shall be residents of the City of West Richland.

2.18.040 Term of Appointment. The regular term of office for a West Richland Salary Commission member shall be four (4) years without compensation. Each member shall hold office until a successor is appointed and confirmed unless removed for cause pursuant to Section 4 of this Ordinance or RCW 35.21.015, as now or hereafter amended. The initial members shall be appointed for staggered terms as follows:

- a. Three members shall be appointed for a period of four (4) years; and
- b. Two members shall be appointed for two (2) years.

All subsequent appointments or reappointments shall be for a four (4) year term. No member of the commission shall be appointed to more than two (2) terms. Appointments may be made to complete an unexpired term in the event of a vacancy.

2.18.050 Removal. The Mayor may remove a member of the West Richland Salary Commission during the member's term of office only for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence.

2.18.060 Duties. It is the goal of the Salary Commission to base salaries of elected officials on realistic standards so that the elected officials may be paid according to the duties of their offices and so that citizens of the highest quality may be attracted to public service. The Salary Commission shall have the duty, at such intervals as determined by the commission, to review the salaries paid by the City to each elected City official. If after such review the Salary 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. Salaries for City Council Members shall be uniform. Salary increases established by the Salary Commission shall be effective on the first pay period following the City's biennial budget. Salary decreases established by the Salary Commission shall become effective as to incumbent City elected officials at the commencement of their next subsequent term of office.

2.18.070 Commission Meetings – Rules of Procedure. The West Richland Salary Commission shall meet in the second year of the City's biennial budget period during the months of August or September or as necessary to conduct the business entrusted to the commission by this Ordinance. The commission may establish its own rules of procedures consistent with the West Richland Municipal Code and state law, which shall include a meeting schedule. All meetings shall be governed by the provisions of the Open Public Meetings Act and the Public Records Act. At least one (1) of the meetings shall include a public hearing held prior to the Salary Commission issuing a decision regarding the establishment of salaries in order to provide an opportunity for the public and the affected public officials to address the Salary Commission.

In determining the salaries for elected officials, the Salary Commission shall solicit information regarding the elected official's duties and responsibilities. Prior to the Salary Commission issuing a salary schedule, the commission may request additional financial information and other relevant data from the appointed staff. An appointed staff member or designee shall be responsible for providing staff support to the commission.

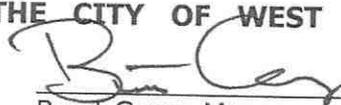
At least (3) members of the Salary Commission shall constitute a quorum and the affirmative vote of three (3) members shall be required to approve a salary schedule for the Mayor and City Council Members, as well as other matters of the commission. The commission shall keep a written record of its proceedings, which shall be a public record in accordance with state law.

2.18.080 Referendum. Salary increases and decreases shall be subject to referendum petition by the people of the City in the same manner as a City ordinance upon filing of such petition with the City Clerk within thirty (30) days after filing of the salary schedule. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by the vote of the people. Referendum measures under this section shall be submitted to the voters of the City at the next following general or municipal election occurring thirty (30) days or more after the petition is filed, and shall be otherwise governed by the provisions of the state constitution and general laws applicable to referendum measures.

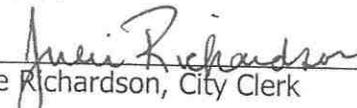
Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 21st day of June, 2016.


Brent Gerry, Mayor

ATTEST:


Julie Richardson, City Clerk

APPROVED AS TO FORM:


Bronson Brown, City Attorney



Historical Data



AWC Salary Survey Data – July 2016

2016 AWC City Name Sort by Population	Population	Form of Governance	Mayor's Compensation	Council's Compensation	Admin's/Manager Compensation
Tumwater	23,040	M/C	1530	660	10,143-12,360
Oak Harbor	22,410	M/C	4206	603	12,106
Camas	21,810	M/C	2200	750	9,992-11,930
Mukilteo	21,070	M/C	5900	500	9,555
Bonney Lake	20,000	M/C	2100	850	Not settled
Tukwila	19,540	M/C	8445	1250	10,374-13,485
Monroe	18,120	M/C	3000	600	8,463-11,553
Aberdeen	16,780	M/C	1039	390	
Anacortes	16,580	M/C	7597	1200	
Washougal	15,560	M/C	2000	500	8,453-11,523
West Richland	14,340	M/C	550	350	9,000-13,000
Port Orchard	13,810	M/C	5343	500	
East Wenatchee	13,500	M/C	4896	550	
Lynden	13,380	M/C	1800	200	10,833-11,667
Snoqualmie	13,110	M/C	2500	500	13,605
Lake Forest Park	12,940	M/C	3000	600	12,667
Ferndale	12,920	M/C	2619	600	11,773
Cheney	11,650	M/C	1500	450	8,665-10,095
Grandview	11,160	M/C	540	300	6,325-9,486
Enumclaw	11,140	M/C	1000	325	7,628-12,132
Newcastle	11,090	M/C	800	700	11,167
Sedro-Woolley	11,030	M/C	2138	500	9,090
Poulsbo	10,210	M/C	5982	500	
Edgewood	9,735	M/C	1300	500	10,343
Sumner	9,705	M/C	1800	750	9,169-11,458
Liberty Lake	9,325	M/C	1250	400	9,612-10,824
College Place	9,245	M/C	850	375	9,311-10,477
Burlington	8,675	M/C	4326	800	10,352-11,651
Hoquiam	8,580	M/C	840	260	9,049-10,703
Gig Harbor	8,555	M/C	1500	300	10,200-12,750
Yelm	8,480	M/C	2500	600	10,935
Ephrata	8,020	M/C	500	200	8,316
Othello	7,875	M/C	750	300	9,775
Kennewick	78,290	C/Manager	\$1191/month	\$992/month	10,448-14,628
Pasco	68,240	C/Manager	\$1300/month	\$1,000/month	15,388
Richland	53,080	C/Manager	\$1373/month	\$1,123/month	9,882-14,823

2016 AWC City Name (& Population)	Form of Governance	Mayor's Compensation	Council's Compensation	Admin's/Manager Compensation
Aberdeen	M/C	\$1039/month	\$390/month	
Anacortes	M/C	\$7597/month	\$1200/month	
Arlington	M/C	\$100/month, plus \$50/other meeting up to 20/month	\$200/councilmeeting, up to 2/month, plus \$50/other meeting, up to 8/month	12,910
Bonney Lake	M/C	\$2100/month	\$850/month	Not settled
Camas	M/C	\$2200/month	\$750/month	9,992-11,930
Monroe	M/C	\$3000/month	\$600/month	8,463-11,553
Mukilteo	M/C	\$5900/month	\$500/month	9,555
Oak Harbor	M/C	\$4206/month	\$603/month	12,106
Tukwila	M/C	\$8445/month	\$1250/month	10,374-13,485
Tumwater	M/C	\$1530/month	\$660/month	10,143-12,360
Washougal	M/C	\$2000/month	\$500/month	8,453-11,523
Burlington	M/C	\$4326/month	\$800/month	10,352-11,651
Cheney	M/C	\$1500/month	\$450/month	8,665-10,095
College Place	M/C	\$850/month	\$375/month	9,311-10,477
East Wenatchee	M/C	\$4896/month	\$550/month	
Edgewood	M/C	\$1300/month	\$500/month	10,343
Enumclaw	M/C	\$1000/month	\$325/month	7,628-12,132
Ephrata	M/C	\$500/month	\$200/month	8,316
Ferndale	M/C	\$2619/month	\$572/month	11,773
Gig Harbor	M/C	\$1500/month	\$600/month	10,200-12,750
Grandview	M/C	\$540/month	\$300/month	6,325-9,486
Hoquiam	M/C	\$840/month	\$260/month	9,049-10,703
Lake Forest Park	M/C	\$3000/month	\$600/month	12,667
Liberty Lake	M/C	\$1250/month	\$400/month	9,612-10,824
Lynden	M/C	\$1800/month	\$200/meeting	10,833-11,667
Newcastle	M/C	\$800/month	\$700/month	11,167
Othello	M/C	\$750/month	\$300/month	9,775
Port Orchard	M/C	\$5343/month	\$500/meeting	
Poulsbo	M/C	\$5982/month	\$500/month	
Sedro-Woolley	M/C	\$2138/month	\$500/month	9,090
Snoqualmie	M/C	\$2500/month	\$500/month	13,605
Sumner	M/C	\$1800/month	\$750/month	9,169-11,458
West Richland	M/C	\$550/month	\$350/month	9,000-13,000
Yelm	M/C	\$2500/month	\$600/month	10,935
Kennewick	C/Manager	\$1191/month	\$992/month	10,448-14,628
Pasco	C/Manager	\$1300/month	\$1,000/month	15,388
Richland	C/Manager	\$1373/month	\$1,123/month	9,882-14,823

2016 AWC City Name Sort by Mayor Compensation High to Low	Form of Governance	Mayor's Compensation per Month	Admin's/Manager Compensation
Tukwila	M/C	8445	10,374-13,485
Anacortes	M/C	7597	
Poulsbo	M/C	5982	
Mukilteo	M/C	5900	9,555
Port Orchard	M/C	5343	
East Wenatchee	M/C	4896	
Burlington	M/C	4326	10,352-11,651
Oak Harbor	M/C	4206	12,106
Lake Forest Park	M/C	3000	12,667
Monroe	M/C	3000	8,463-11,553
Ferndale	M/C	2619	11,773
Snoqualmie	M/C	2500	13,605
Yelm	M/C	2500	10,935
Camas	M/C	2200	9,992-11,930
Sedro-Woolley	M/C	2138	9,090
Bonney Lake	M/C	2100	Not settled
Washougal	M/C	2000	8,453-11,523
Lynden	M/C	1800	10,833-11,667
Sumner	M/C	1800	9,169-11,458
Tumwater	M/C	1530	10,143-12,360
Cheney	M/C	1500	8,665-10,095
Gig Harbor	M/C	1500	10,200-12,750
Edgewood	M/C	1300	10,343
Liberty Lake	M/C	1250	9,612-10,824
Aberdeen	M/C	1039	
Enumclaw	M/C	1000	7,628-12,132
College Place	M/C	850	9,311-10,477
Hoquiam	M/C	840	9,049-10,703
Newcastle	M/C	800	11,167
Othello	M/C	750	9,775
West Richland	M/C	550	9,000-13,000
Grandview	M/C	540	6,325-9,486
Ephrata	M/C	500	8,316
Kennewick	C/Manager	\$1191/month	10,448-14,628
Pasco	C/Manager	\$1300/month	15,388
Richland	C/Manager	\$1373/month	9,882-14,823

Mayor Compensation Range - Page 1 - Monthly Pay

City	Ephrata Pop 8020 - Emp 49	Grandview Pop 11160 Emp 55	W Richland Pop 14340 Emp 60	Othello Pop 7875 Emp 42	New Castle Pop 11090 Emp 24	Hoquium Pop 8580 Emp 82	College Place Pop 9245 Emp 30	Enumclaw Pop 11410 Emp 88	Aberdeen Pop 16780 Emp 164	Liberty Lake Pop 9325 Emp 30	Edgewood Pop 9735 Emp 11	Cheney Pop 11650 Emp 85 Gig Harbor Pop 8555 Emp 97	Tumwater Pop 23040 Emp 169	Lyden Pop 13380 Emp 88 Sumner Pop 9705 Emp 96
Monthly Rate	500	540	550	750	800	840	850	1000	1039	1250	1300	1500	1530	1800

Mayor Range 500/mo-8845/mo

Kennewick - Pop 79120 Emp 369

1191/mo

Pasco - Pop 70560 Emp 337

1300/mo

Richland - Pop 53410 Emp 454

1373/mo

City Administrator/City Manager Range - Monthly Pay

6,325/mo - 13,485/mo

Range per AWC Salary Survey

9,000-13,000

Approved 2016 West Richland Salary Range



Sample Size

58 cities with population in AWC groupings just above/below the City of West Richland

Findings – AWC Compensation Survey 2016 for Mayor

Mayor's Compensation Range

\$500/mo. Ephrata - \$8845/mo. Tukwila (Both also show in survey they have City Administrator)

6 Cities with Mayor-Council form of Governance DO NOT have City Administrator salary shown

<u>City/Population</u>	<u>Mayor Salary</u>	<u>Employee</u>
Anacortes/16,310	\$7597/mo.	179
Poulsbo/9,950	\$5982/mo.	86
Port Orchard/13,510	\$5343/mo.	73
East Wenatchee/13,390	\$4896/mo.	44
Aberdeen/16,780	\$1039/mo.	179
West Richland/13,960	\$550/mo.	55

2016 AWC City Name Council Comp High to Low	Population		Mayor's Compensation	Council's Compensation	
Tukwila	19,540		8445	1250	
Anacortes	16,580		7597	1200	
Bonney Lake	20,000		2100	850	
Burlington	8,675		4326	800	
Camas	21,810		2200	750	
Sumner	9,705		1800	750	
Newcastle	11,090		800	700	
Tumwater	23,040		1530	660	
Oak Harbor	22,410		4206	603	
Ferndale	12,920		2619	600	
Lake Forest Park	12,940		3000	600	
Monroe	18,120		3000	600	
Yelm	8,480		2500	600	
East Wenatchee	13,500		4896	550	
Edgewood	9,735		1300	500	
Mukilteo	21,070		5900	500	
Port Orchard	13,810		5343	500	
Poulsbo	10,210		5982	500	
Sedro-Woolley	11,030		2138	500	
Snoqualmie	13,110		2500	500	
Washougal	15,560		2000	500	
Cheney	11,650		1500	450	
Liberty Lake	9,325		1250	400	
Aberdeen	16,780		1039	390	
College Place	9,245		850	375	
West Richland	14,340		550	350	
Enumclaw	11,140		1000	325	
Gig Harbor	8,555		1500	300	
Grandview	11,160		540	300	
Othello	7,875		750	300	
Hoquiam	8,580		840	260	
Ephrata	8,020		500	200	
Lynden	13,380		1800	200	
Kennewick	78,290	C/Manager	\$1191/month	\$992/month	
Pasco	68,240	C/Manager	\$1300/month	\$1,000/month	
Richland	53,080	C/Manager	\$1373/month	\$1,123/month	

Council Member Compensation Range - Page 1 - Monthly Pay

City	Ephrata Pop 8020 Emp 49	Hoquim Pop 8580 Emp 82	Othello Pop 7875 Emp 42 & Grandview Pop 11160 Emp 55	Enumclaw Pop 11410 Emp 88	West Richland Pop 14340 Emp 60	College Place Pop 9245 Emp 30	Aberdeen Pop 16780 Emp 164	Liberty Lake Pop 9325 Emp 30	Cheney Pop 11650 Emp 85	Mukilteo Pop 21070 Emp 111 Washougal Pop 15560 Emp 72	Edgewood Pop 9735 Emp 11 Poulsbo Pop 10210 Emp 86	Sedro Wolley Pop 11030 Emp 57 Snoqualmie Pop 13110 Emp 103	East Wenatchee Pop 13500 Emp 44	Ferndale Pop 13250 Emp 65
Monthly Rate	200	260	300	325	350	375	390	400	450	500	500	500	550	572
	Council Range		200/mo-1250/mo											
	Kennewick - Pop 79120 Emp 369						992							
	Pasco - Pop 70560 Emp 337						1000							
	Richland - Pop 53410 Emp 454						1123							
	NOTE: Lynden pays \$200/meeting and Port Orchard pays \$500/meeting													



City of West Richland Salary Program for City Administrator and staff



Total Compensation Principle

The City of West Richland strives to provide a fiscally responsible total compensation program to retain and recruit highly qualified employees.



Methodology for Determining Wage Ranges & Benefits

1. Use Compensation Principle – WR Council Approved

The City of West Richland strives to provide a fiscally responsible total compensation program to retain and recruit highly qualified employees.

A. External Competitiveness

1. AWC Salary Survey for Cities 15,000-29,999
Established Range Based on Market Survey – Varies by Position
2. Consider Benefit programs of local Kennewick, Richland and Pasco

B. Internal Equity

1. Grouping of Jobs based on Internal Work Scope

**CITY OF WEST RICHLAND
RESOLUTION NO. 41-15**

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, AMENDING THE SALARY SCHEDULE FOR THE 2015-2016 BIENNIUM

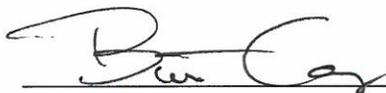
WHEREAS, the City Council of the City of West Richland is responsible by RCW to establish a budget which includes a salary schedule for all City personnel; and

WHEREAS, the City Council has determined that the best interest of the City is served by amending the 2015-2016 salary schedule resolution approved in Resolution 28-15;

NOW THEREFORE, the West Richland City Council does resolve as follows:

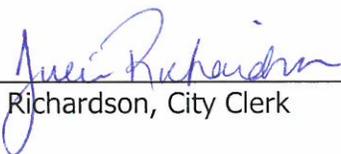
1. Resolution 28-15 is hereby amended as attached in Exhibit A.

PASSED by the City Council of the City of West Richland, Washington, this 15th day of December, 2015.



.02B1rent Gerry, Mayor

ATTEST:



Julie Richardson, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney

City of West Richland
2015-2016 Monthly Salary Schedule

Classification	Status	Position Title	Range			Recommended Range		
			Min	Mid	Max	Min	Mid	Max
Executive	Exempt	City Administrator	8,334	10,000	11,667	9,000	11,000	13,000
Executive	Exempt	Public Works Director, Police Chief, Community Development Director, Finance Director	6,667	8,334	10,000	7,000	9,000	11,000
Senior Professional Professional/Supervisor	Exempt	City Clerk/IT Services, Police Captain City Engineer, Accounting Manager	6,000	7,500	9,000	6,500	8,000	9,500
	Exempt	Civil Engineer II, Public Works Supervisor Senior Planner, Senior Accountant Economic Development Planner	4,300	5,400	6,500	5,000	6,250	7,500
	Exempt	Building Official	4,000	5,000	6,000	4,500	5,500	6,500
	Exempt	Associate Planner	3,850	4,300	5,500	4,300	5,200	6,100
Para-Professional, Specialist, Confidential, Support	Non-Exempt	Waste Water Treatment Plant Operator, Cross Connection Specialist, HR Specialist	3,700	4,600	5,500	4,100	4,950	5,800
	Non-Exempt	Building Inspector, Public Works Construction Inspector	3,350	4,275	5,200	4,000	4,850	5,700
	Non-Exempt	Accounting Technician, Engineering Technician , Engineering Technician-Admin, Waste Water Laboratory Technician I , Maintenance Worker-I , Utility Billing Specialist, Police Records Specialist	3,200	4,100	5,000	3,700	4,550	5,400
	Non-Exempt	Maintenance Worker II , Waste Water Laboratory Technician	3,200	4,100	5,000	3,500	4,350	5,200
	Non-Exempt	Maintenance Worker I	2,700	3,200	3,700	2,700	3,350	4,000
	Non-Exempt	Administrative Assistant I	2,500	3,000	3,500	2,700	3,300	3,900
	Non-Exempt	Meter Reader, Collection Technician, Maintenance Technician, Custodian	2,120	2,620	3,120	2,200	2,700	3,200
Seasonal/Temporary	Non-Exempt	Public Works Seasonal Worker	10.55/hr	11.55/hr	12.47/hr	11.47/hr	12.47/hr	12.47/hr
	Non-Exempt	Seasonal Code Enforcement Officer	14.00/hr	19.00/hr	19.00/hr	14.00/hr	19.00/hr	19.00/hr



Outcomes Needed:

1. Mayor Salary with City Administrator
2. Mayor Salary without City Administrator
3. City Council Salary