

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 08-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, REPEALING AND REPLACING CHAPTER 2.58 OF THE BUCKLEY MUNICIPAL CODE REALATING TO A SALARY COMMISSION.

WHEREAS, RCW 35.21.015 provides that salaries for elected officials of towns and cities may be set by salary commissions established in accordance with city charter or by ordinance and in conformity with this section; and

WHEREAS, the City Council established a Salary Commission through adoption of Ordinance 01-04 which is codified as Buckley Municipal Code Chapter 2.58; and

WHEREAS, BMC 2.58 has been amended three separate times since its inception; and

WHEREAS, the last time the Salary Commission met to review the salaries and compensation of elected officer's was more than 10 years ago; and

WHEREAS, the City has tried on at least five occasions to find enough members willing to volunteer to serve on the Salary Commission and the City Council desires to amend BMC 2.58 to reduce the number of designated members in an effort to convene a Commission; and

WHEREAS, the City Council desires to amend BMC 2.58 to simplify the code language and provide the City Council with the option to set salaries by ordinance consistent with RCW 35A.12.070 if the City is unable to find enough members to serve on the Salary Commission.

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON DO
ORDAIN AS FOLLOWS:**

Section 1. Chapter 2.58 entitled "Salary Commission" is hereby repealed and replaced as follows:

2.58.010 Salary commission may be created.

By a majority vote of the council, a salary commission consistent with RCW 35.21.015 may be created on an as-needed basis to review the salaries of the council and/or mayor.

2.58.020 Membership.

- A. The salary commission shall have three members, who shall be appointed by the mayor, with approval of the council, for a maximum term of 6 months.
- B. No member may be appointed to more than two terms on the salary commission.
- C. Members may be removed during their terms for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence.
- D. No officer, official, or employee of the city or any of their immediate family members may serve as a member of the salary commission.

2.58.030 Powers.

- A. The salary commission, if created in accordance with BMC 2.58.010 and 2.58.020, shall review and set the salaries for elected officials of the city.
- B. 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.
- C. Salary increases established by the commission shall be effective as to incumbent city elected officials, regardless of their terms in office, subject to the provisions of BMC 2.58.040.
- D. Salary decreases established by the commission shall become effective as to incumbent city elected officials at the commencement of their next subsequent terms of office.
- E. Commission action fixing the salaries of elected officials of the city pursuant to this chapter shall supersede any provision of any other city ordinance related to such salaries.
- F. The commission shall automatically dissolve after the completion of salary review and the filing of salary changes with the city clerk.
- G. If no commission is currently constituted, the council may set salaries by ordinance consistent with RCW 35A.12.070.

2.58.040 Referendum.

- A. Salary increases, and decreases set by the commission 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 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 vote of the people.

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

2.58.050 Meetings to be open.

The proceedings and actions of the salary commission shall be undertaken in compliance with the Open Public Meetings Act, Chapter 42.30 RCW, as if the commission was a "governing body" as defined in that Act; provided, that notice of all meetings of the commission shall be issued pursuant to RCW 42.30.080, and the commission shall not meet in executive session.

Section 2. If any provisions of this Ordinance is held invalid, such invalidity shall not effect any other provisions, or the application thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

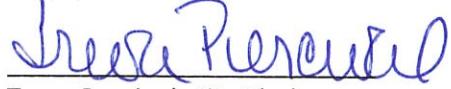
Section 3. This Ordinance shall be in full force and effective June 21, 2022. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its entirety.

Introduced, passed, and approved this 14th day of June, 2022



Mayor Beau Burkett

Attest:



Treva Percival, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

PUBLISHED: June 22, 2022

EFFECTIVE: June 27, 2022