AN ORDINANCE of the City Council of the City of Kent, Washington, repealing Chapter 2.58 of the Kent City Code, entitled "Independent Salary Commission."

RECITALS

A. On March 3, 2015, the city council passed Ordinance No. 4142 establishing an independent salary commission to review, establish, increase, or decrease mayor and councilmembers' salaries.

B. In accordance with Ordinance No. 4142, the independent salary commission established a salary schedule for the city's mayor, city council president, and the councilmembers.

C. The salary commission's schedule took effect on August 3, 2015, at the end of the period when a referendum petition could have been filed. The schedule includes adjustments to current mayor and councilmember salaries and incorporates a 2.5% fixed upward annual adjustment.

D. The salary commission has expressed that, with the fixed upward annual adjustment, mayor, council president and councilmember salaries should stay in line with inflation trends for years to come, so the commission moved to disband.
E. Pursuant to Article XI, Section VIII, of the Washington State Constitution, elected city official salaries cannot be diminished while in office, nor can elected city officials fix or raise their own compensation during their term in office pursuant to Article XXX of the Washington State Constitution. Accordingly, the schedule in place is fixed for the mayor and councilmembers. This includes the annual 2.5% upward adjustment, which will remain in effect unless and until raised or lowered in the manner allowed by the state constitution.

F. Because long-term salary concerns are likely addressed, barring an extraordinary increase or decrease in inflation, the commission further recommends council repeal the establishment of the salary commission created pursuant to Ordinance No. 4142, keeping the salary schedule, including the annual 2.5% upward adjustment, in place as originally established by the commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. - Repeal Ordinance No. 4142. Upon the effective date of this ordinance, Ordinance No. 4142 is hereby repealed in its entirety. The salary schedule, including the annual 2.5% upward adjustment, which is validly established and set in place by the salary commission, will continue as the salary established for the mayor, council president, and councilmembers unless and until amended as authorized by the constitution and laws of the State of Washington.

SECTION 2. - Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.
SECTION 3. - Savings. The existing Chapter 2.58 of the Kent City Code, which is repealed by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

SECTION 4. - Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

SECTION 5. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, as provided by law.

SUZETTE COOKE, MAYOR

ATTEST:

RONALD F. MOORE, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 15th day of September, 2015.
APPROVED: 15th day of September, 2015.

Repeal KCC Chapter 2.58 - Re: Independent Salary Commission
PUBLISHED: $15^{th}$ day of September, 2015.

I hereby certify that this is a true copy of Ordinance No. 4169 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, M.M.
(SEAL)
RONALD F. MOORE, CITY CLERK

Repeal KCC Chapter 2.58 -
Re: Independent Salary Commission