



MEMORANDUM

DATE: April 28, 2022

TO: Salary Review Commission

FROM: Becky Rude, Assistant City Attorney

RE: **2022 Salary Review Commission Guidelines**

BACKGROUND

The City of Vancouver is a “first-class city” under Washington state statute ([RCW 35.01.010](#)) and first-class cities may adopt either a Mayor-Council or a Council-Manager plan of government. Pursuant to [RCW 35.18.010](#), Vancouver adopted a “council-manager” plan of government, which means that councilmembers are the only elected officials and those elected officials appoint a City Manager as the chief executive officer for City administration. Because elected officials essentially report to the citizens of the jurisdiction they serve, [RCW 35.21.015](#) authorizes establishment of citizen salary commissions to set salaries for elected officials.

In the election of November 8, 1994, the voters of the City of Vancouver added a new [Section 2.18](#) to the City Charter establishing just such an independent citizen commission charged with setting the City Council salaries for each biennial budget. The first Commission was appointed in late 1994, after the Charter amendment was approved and the initial salary schedule was filed on April 12, 1995, to be effective 30 days later. Subsequently, the Commission has met every two years to establish salaries by ordinance for the next biennial (two-year) budget cycle, as set forth in [VMC Chapter 2.07, Compensation](#).

In 2019, the City Charter was reviewed by a [citizen committee](#) and the method of relying on a citizen commission to set elected official salaries was affirmed. However, Section 2.18 was amended to add two additional Commission members (increasing the total number of Commissioners from five to seven) and to require that the Commission rely on additional objective measures, including a specific Consumer Price Index published by the United States Bureau of Labor and Statistics (BLS), as a means of establishing a cap on salary increases set by the SRC, absent voter approval.¹

¹ The Commission may propose a schedule of salary increases of more than the CPI-W, provided that such a schedule must first be submitted to the voters for approval (City Charter Section 2.18(d)).

The Commission has convened once since the 2019 Charter amendment, for the biennial budget cycle that occurred in the Spring of 2020, but the impact of the changes implemented by that 2019 amendment may have been somewhat overshadowed by the initial wave of the Coronavirus pandemic.

PURPOSE

The purpose of the [Salary Review Commission](#) (Commission or SRC) is to study the relationship of salaries to the duties of the [City Council](#) for the City of Vancouver, including the Mayor, Mayor Pro Tempore, and Councilmembers, and fix such salaries in accordance with the Commission's scope of authority and responsibility prescribed by City Charter Section 2.18. The SRC is to review objective information, including the Consumer Price Index for Wage Earners and Clerical Workers (CPI-W) for the West Region as established by BLS for the prior two years. The Commission may also request other relevant information from City staff, including but not limited to, City employee salary adjustments, the current cost of living allowance, and performance data related to City Council work hours, public service functions, and board or council membership.

COMMISSION MEMBERSHIP

The Commission is made up of seven citizen members who are appointed for staggered terms by the Mayor, subject to approval of the City Council. Each Commissioner may only serve for one four-year term. No Commission member may be a City officer, official, or employee or immediate family member of any City officer, official or employee. Additionally, a Commission member may be removed from office because of incapacity, incompetence, neglect of duty or malfeasance in office, or for a disqualifying change of residence.

Commissioners are appointed in accordance with City Charter Section 2.18 and [City Council Policy 100.06](#), which establishes policies and procedures for appointments to citizen boards and commissions. Commission members are volunteers who serve without compensation (although they are eligible to be reimbursed for certain qualifying expenses incurred on behalf of the Commission) and receive staff support from City employees. Prior to the 2019 City Charter amendment, the SRC was composed of five members, creating a three-vote majority. The addition of two more Commission members through the 2019 Charter amendment requires a four-vote majority to support any action taken by the SRC.

COMMISSION RESPONSIBILITIES

The Commission convenes every two years and generally starts holding public meetings during the first few months of that biennium budget year to identify relevant data, request information from City staff, and review and discuss that information. Under [RCW 35.21.015\(4\)](#) salary increases are applicable to all City councilmembers, regardless of how many years they have been in office.

The Commission must also hold at least two public hearings that include opportunity for public testimony (not just open public meetings) on any proposed salary schedule before taking final action. Historically, the SRC has often compiled a summary report from its meeting minutes of the data reviewed, including discussion and findings that support the Commission's proposed salary schedule.

Ultimately, the Commission must adopt a salary schedule showing the salary rates for the positions of Mayor, Mayor Pro Tempore, and City Councilmember for each of the next two years by majority vote. The salary schedule must be presented in the form of an ordinance² and approved by a majority vote of the SRC. That adopted ordinance must then be timely filed with the City Clerk in coordination with the City budget cycle. The filing date identified in the City Charter is May 1, but the 2022 budget cycle filing deadline is July 1. This filing timeline permits the Commission's adopted salary schedule to be incorporated and any salary increases to be implemented on January 1 of the new biennial budget cycle.

COMMISSION ACTION

According to the current City Charter, the SRC may take one of the following actions based on salary information it reviews:

- Adopt a schedule of salary increases at the (CPI-W) for the West region as established by the Bureau of Labor Statistics for the prior two years (the aggregate of the percentage change in each of the prior two years);
- Propose a schedule of salary increases of more than CPI-W, provided that such schedule must be submitted to the voters for approval and, in the event the voters reject such greater increase, the increase up to the CPI-W will go into effect;
- Decrease salaries, provided that such decreases will not go into effect until the commencement of a new term of office; or
- Choose not to adopt any salary change.

Implicitly, by virtue of the Charter setting the CPI-W as a limit on any salary increase the Commission may adopt outright (absent additional voter approval) another option also appears to be available to the Commission - that option would be a salary schedule that increases salaries, but at a percentage increase that is less than what the CPI-W prescribes.³

Finally, if the salary schedule the Commission sets for City Council provides a salary increase or decrease⁴, that salary adjustment is subject to citizen referendum under [RCW 35.21.015\(6\)](#) and pursuant to [City Charter Section 10.2](#). Therefore, the citizens of Vancouver have a right to disapprove any Commission action increasing or decreasing City Council salaries by filing a petition with signatures equal to at least ten percent of votes cast in the last municipal general election, so long as such a petition is submitted within 30 days after the Commission adopts the ordinance.

² See [VMC Chapter 2.07](#) for the code published form of the ordinance.

³ For the 2022 SRC, due to inflation, the annual salary increase for City Council positions prescribed by the CPI-W identified in the City Charter is 12.3% (2.9% annual increase year ending [March 2021](#) plus 9.4% annual increase year ending [March 2022](#)).

⁴ Salary decreases established by the Commission only become effective on incumbent elected officials at the commencement of their next subsequent term of office ([RCW 35.21.015\(5\)](#)).