

ORDINANCE NO. C – _____

An ordinance relating to budget controls; amending section 03.07.230; enacting new sections 03.07.340, 03.07.350, 03.07.360, and 03.07.370 of the Spokane Municipal Code.

WHEREAS, as a first-class charter city, the manner and method of the exercise of the City’s powers, under RCW 35.22.020, is determined by reference to the City Charter; and

WHEREAS, Section 19 of the City Charter provides that the City’s annual budget is adopted by ordinance; and

WHEREAS, Section 26 of the City Charter provides that “city officers, assistants, and employees shall receive such salary or compensation as the city council shall fix by ordinance ...”; and

WHEREAS, the City Council has identified several salary and compensation practices which are arbitrary and unsustainable, and must be addressed in a comprehensive fashion via the City Council’s authority to establish compensation policy by ordinance.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That section 03.07.230 of the Spokane Municipal Code is amended to read as follows:

Section 03.07.230 Nonrepresented Employee Personal Service Contracts

- A. All ~~((new, amended or renegotiated personal service contracts or))~~ letters of appointment for nonrepresented employees shall either be subject to final approval by the ~~((city council))~~ City Council or negotiated within the parameters set forth by the ~~((city council))~~ City Council by ordinance ~~((or within existing personnel procedures adopted by the city council))~~. All new, amended or renegotiated ~~((personal service contracts or))~~ letters of appointment for nonrepresented employees shall contain as a condition of employment that the nonrepresented employee shall be subject to the Code of Ethics, chapter ~~((1.04))~~ 01.04A, SMC.
- B. The City of Spokane shall not enter into any new personal service contracts upon the effective date of this section.

Section 2. That there is adopted a new section 03.07.340 of the Spokane Municipal Code to read as follows:

Section 03.07.340 Budget Approval Prior to City Employment Advertisement

- A. All City employment opportunities shall be approved as a detailed line item in the annual budget or by a special budget ordinance prior to being advertised for applicants.
- B. This section shall not apply to City of Spokane temporary or seasonal employment opportunities.

Section 3. That there is adopted a new section 03.07.350 of the Spokane Municipal Code to read as follows:

Section 03.07.350 Salary Grades and Steps

- A. All vacant positions shall be budgeted at the lowest step in the salary grade based on the range listed in the job description created by Human Resources or Civil Service.
- B. The City Council shall be provided a financial justification at the appropriate Council committee whenever a vacant position will be filled at a higher step than the lowest step in the salary grade or whenever an employee is promoted to a step beyond the employee's next successive step in the current range.
- C. At no time shall the base salary of any City employee be more than four (4) times the median household income of the city of Spokane. This provision shall not retroactively apply to any City employee who has a base salary of more than four (4) times the median household income of the city of Spokane as of January 1, 2018.

Section 4. That there is adopted a new section 03.07.360 of the Spokane Municipal Code to read as follows:

Section 03.07.360 Out-of-Classification Assignments

- A. Except as otherwise provided in a collective bargaining agreement to which the City is a party and which was in effect as of January 1, 2018, when an employee is called upon to fill a temporary vacancy in a higher level classification and that employee performs the full range of duties of that higher level position, the employee shall be paid the appropriate step of the salary range of the higher level position.
- B. Division directors and department heads shall not be eligible for out-of-classification pay unless filling a temporary vacancy in the position of City Administrator.

Section 5. That there is adopted a new section 03.07.370 of the Spokane Municipal Code to read as follows:

Section 03.07.370 Vacant Positions

- A. All funds allocated to a nonrepresented vacant position adopted in the annual budget or by special budget ordinance shall expire if the position is not filled within one hundred twenty (120) days of the vacancy.
- B. The funds which expire as described in paragraph A of this section shall be transferred to that department's reserves.
- C. Funds for a nonrepresented and vacant position which have expired under paragraph A of this section may be restored by special budget ordinance adopted by the City Council pursuant to Section 19 of the City Charter.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date