



CITIZENS COMMISSION ON COMPENSATION OF ELECTED OFFICIALS Meeting Minutes

**May 20, 2014
5:30 pm @ City Hall
121 Fifth Avenue, Edmonds**

Meeting & Public Hearing

PRESENT

Commissioners:

**Brent Hunter
Co-Chair Dilys Rosales
Co-Chair Mike Hathaway
Mike Meeks**

Staff:

Mary Ann Hardie, HR Manager

Public:

**Ron Wambolt
Bruce Wittenberg**

CALL TO ORDER

Co-Chair Dilys Rosales called the meeting to order at 5:35 pm. Commissioner Norma Middleton was unable to attend the meeting.

CALL TO ORDER – PUBLIC HEARING

Commissioner Brent Hunter made a motion to open the public hearing. Co-Chair Mike Hathaway seconded the motion. The motion carried.

Ron Wambolt addressed the Commission first. Mr. Wambolt stated that, in his opinion, the benefits for the Commission are great, but a revision needs to be made to the salary with regard to the meetings for the Council Members. Mr. Wambolt further stated that he had performed an analysis of the meetings [that Council Members were assigned to] and there are a total of 190 [for all Council] per year that they can attend.

Additionally, Mr. Wambolt stated that there was no “incentive” in the current salary structure for them to attend. Previously [prior to the 2012 Commission recommendation and change to the cafeteria style salary and benefits] there was an incentive. The Council Members received \$50 per meeting they attended, up to a total of 8 meetings (including the 4 Council meetings per month).

As part of his analysis, Mr. Wambolt stated that;

1. Through April 2014, with 6 Council Members, there appeared to only be reports from 4 meetings.
2. It appeared that there appeared to be one Council member who belonged to a [specific] committee that had 11 meetings on that committee, but that he/she only attended 2 of those meetings.
3. Based on a recent report (from the 4/22/12 Council meeting) there were 4 meetings reported on by 3 Council Members.

Mr. Wambolt stated that he believed that there was another discrepancy with meeting pay for Council Members in that it appeared that one member is paid for attending a certain committee meeting at Snohomish Health District by both the City and by Snohomish Health District. Mr. Wambolt urged the Commission to consider reverting back to the pay practice of Council Members receiving \$50 per meeting for up to 8 meetings per month. Additionally, Mr. Wambolt stated that if the Commission believes that the Council is underpaid, that instead the base salary should be raised. Mr. Wambolt stated that he had served as a Council Member [at the City of Edmonds] and he offered his e-mail address for any further questions at rrwambolt@msn.com.

Commissioner Hunter asked Mr. Wambolt how many hours he worked per week when he was a Council Member. Mr. Wambolt responded that he worked 20 hours a week [during his term as a Council Member], and that he not only attended the meetings [for the Boards/Committees that he was assigned to] but that he also attended functions at the Chamber.

Commissioner Hunter further inquired as to whether that time [20 hours per week] was spent for only meeting time or also travel [to and from meetings] and/or meetings with constituents. Mr. Wambolt responded that it included all of those items.

Co-Chair Rosales stated that the Commission had been given other numbers [information as to how many hours per week the Council worked per week]. *Note: this information Co-Chair Rosales refers to was not provided by the City or Human Resources.*

Mr. Wambolt explained that he had applied for the Council Member opening [when former Council Member Frank Yamamoto resigned in December 2013] and that [during his interview with Council for the appointment] the Council appeared to agree with him [that the \$50 pay per meeting was appropriate] at that time.

Commissioner Hunter inquired as to whether Mr. Wambolt thought that there were any alternatives that he could suggest other than reverting back to the \$50 meeting pay per meeting. Mr. Wambolt opined that the \$50 per meeting pay seems that it is enough of an incentive for attendance. Mr. Wambolt further stated that he was aware that, with the survey comparators for Council that the Commission was reviewing, that it did not appear that any other cities offered per meeting pay, but that he still thought it worked.

Co-Chair Rosales inquired as to whether Mr. Wambolt believed that, before the pay structure for Council was changed 2 years ago, that there was much better attendance at the meetings. Mr. Wambolt stated yes. Co-Chair Rosales further inquired as to whether Mr. Wambolt was using "report counting" [the number of reports provided by Council Members after their meetings] as a method of determining meeting attendance. Mr. Wambolt stated that it did not mean that they a Council Member had not attended a meeting if a report had not been provided at Council.

Commissioner Hunter inquired as Mr. Wambolt that [when he was a Council Member] what was the consequence of not attending a meeting that was assigned. Mr. Wambolt stated that he was not aware of any consequences but that there were personal consequences for the member in not being up to date with what was going on as well as peer pressure. Co-Chair Rosales stated that, other than that there didn't appear to be a consequence [of non-attendance].

Co-Chair Rosales inquired of Mr. Wambolt as to what his suggestion [to either provide an incentive for attendance or a disincentive] would be. Mr. Wambolt replied that the \$50 per meeting pay seemed appropriate; to change the salary design of the compensation piece [for Council Members].

Commissioner Rosales stated that the suggestion would be for the Commission to take it [the \$50 per meeting pay] out of the current cafeteria plan. Mr. Wambolt further stated that the Council should continue to be provided the health insurance as the non-provision of insurance in the past seemed unfair.

Citizen Bruce Wittenberg stated that he agreed with what Mr. Wambolt said and further thanked the Commission for the important work and allowing him to make comments. Mr. Wittenberg stated that he believe that the Commission was "short changing" themselves by not providing more publicity about what

it is that the Commission does. He stated that he didn't find out about the meeting until after Mr. Wambolt had informed him (after Mr. Wambolt had inquired with the HR staff).

Mr. Wittenberg further stated that it would be helpful if the meeting minutes and other documents were posted on the Boards and Commission page for the Citizens' Commission. Then, this information would be available to the public and those that were interesting in knowing could attend the meeting. Additionally, the Commission could announce the meetings and public hearings on MyEdmondsNews.com.

Mr. Wittenberg further inquired that he understood that the Citizens' Commission ordinance was recently revised to be in compliance with the state statute but that it does not look like the Commission has a full Board (seven members). Co-Chair Rosales responded that the Commission has inquired about this to confirm [with the City's attorney's office] and that although there are not seven, the Commission has an adequate number [to complete the work of the Commission]. Additionally, there were very few applicants for the vacancies which had been opened for quite some time.

Mr. Wittenberg stated that it would be presumptuous of him to say why [no members of the public had applied for the vacancies]. Additionally, would the Commission have a preliminary recommendation and would there be another public hearing.

Co-Chair Rosales inquired of HR Manager Mary Ann Hardie as to whether or not the Commission has another public meeting scheduled. Ms. Hardie stated that this was the second required public hearing, but that the Commission could choose to hold another public hearing if they chose to.

Mr. Wittenberg opined that this [the two public hearings] is somewhat problematic. He explained that, if the public isn't familiar with what it is the Commission does, then they don't have the opportunity to comment [on the work]. Because the Commission has been restructured [as to how the final decision is made with binding recommendations by the Commission], there is no public input on what it is that the Commission is recommending [as a binding recommendation]. Additionally, there is no Council input. That he Mr. Wittenberg further stated that he accepts this process, but thinks it would be valuable if the public knew and was able to provide feedback on the [binding] recommendations the Commission makes.

Commissioner Hunter stated that a report that goes into the Council packet prior to the meeting [at which the binding recommendations are presented to Council] this is accessible [to the public] before it is delivered to the Council. The public may not get the meeting minutes, but the report with the binding recommendations will be delivered in advance.

Mr. Wittenberg stated understands this and that it is valuable, but if part of the "charge" [of the Commission] is to take into consideration what the public may be thinking about the Commission recommendations, in his opinion, by following this system, the public doesn't have the opportunity to opine on the comments or be able to provide input for changes.

Co-Chair Rosales stated that one issue would be providing this information prematurely [to the public] before the Council. Co-Chair Rosales requested Mr. Wambolt's opinion on this.

Mr. Wambolt stated that Mr. Wittenberg has a good point and that this [Commission's] meeting has "unusual" hours. This group has the ability to make a complete decision on what the Council is compensated. Given the City Attorney's Office' interpretation of the Commission's authority to make binding recommendations since 2012 [with regard to salary and benefits for the Mayor/Judge and Council], the only way Citizens can have input now is when it is at a Council meeting. Mr. Wambolt stated that he did not think that Council would have a problem with the Commission doing things this way.

Mr. Wambolt further clarified that previous to 2012, the City Council could overrule the Commission's changes and that the salary took effect the next year.

Commissioner Hunter stated that there are established processes [for reviewing salary and benefits information for elected officials] that Council established many years ago. The Commission uses that same process every time and will produce a consistent report. Commissioner Hunter stated that he

understood that the Council pay [to a cafeteria style benefit plan in 2012] was a big change and that not everyone on Council was in favor of the "old system" [previous pay structure prior to 2012].

Mr. Wambolt stated that they wanted to get paid for not attending the meetings.

Hearing no further comments from any members of the public who were present, Commissioner Hunter made a motion to close the public hearing at 5:38 pm. Co-Chair Rosales seconded the motion. The motion carried.

There was some discussion that followed by the Commission about the comments made/input provided by the public during the hearing.

Co-Chair Rosales made a motion that a representative on the Commission (Commissioner Norma Middleton) draft up a bulleted list explaining the process that the Commission goes through (including how the comparator cities are selected) and what the next steps are that the Commission takes with the process. Co-Chair Mike Hathaway seconded the motion. The motion carried. The Commission requested that Ms. Hardie contact Commissioner Middleton about the Commission's request.

APPROVAL OF THE AGENDA/ MEETING MINUTES

Co-Chair Rosales made a motion to approve the agenda for the current meeting and the meeting minutes from May 12, 2014. Co-Chair Hathaway seconded the motion. The motion carried.

CORRESPONDENCE

Commissioner Hunter explained to Commissioner Mike Meeks that the Commission gets in touch with the elected officials to get input and there was feedback from the electeds that didn't necessarily fall under the purview of the Commission.

NEW BUSINESS

Co-Chair Rosales stated that she wanted to discuss what the process should or would be (going forward) if there is an issue that the Commission may have if a member is unable to follow the Commission's rules and the Boards and Commissions' Ground Rules.

There was some discussion that followed by the Commission as to what sanctions or actions the Commission may take in this situation. Co-Chair Rosales stated that it would be important to discuss the rules of conduct at the start of the Commission meetings [for the year the Commission is meeting] and also when new members come aboard. Commissioner Hunter stated that he agreed that this would be important to convey upfront and that the Chair should have the authority to address any member who may be "out of line." Ms. Hardie stated that the Commission always had the option of going to the Mayor should there be an issue with a member, given the Mayor's appointment role.

After further discussion by the Commission, Co-Chair Rosales requested that Ms. Hardie provide the Commission in writing with some information from the City Attorney as to what the options would be should a situation arise that required the Commission to take further action.

There was additional discussion by the Commission about contacting Commissioner Meeks to help provide a Commission orientation to help provide a better understanding of the function, process and goals of the Commission prior to the next meeting on 5/20/14. Co-Chair Rosales stated that she would reach out to Commissioner Meeks to see if he was able to set up a brief time to do so before the next meeting.

DISCUSSION/CONTINUED DISCUSSION

Feedback from Elected Officials

Ms. Hardie provided the Commission with a copy of the feedback that she had received from the Commissioners (from their elected official interviews on salary and benefits, etc.). Commissioner Hunter shared his feedback from his final interview with the elected officials he had spoken to. The feedback provided was as follows:

1. There seemed to be an issue about the need for part-time staff to assist Council.
2. There seemed to be a misunderstanding or miscommunication as to how many hours the Council members would need to work [in order to effectively perform their official duties].
3. There was a concern about not being vested in the employer contribution portion of MEBT if an elected official serves their term (4 years) and the MEBT vesting requirement (for 100% vesting) is 7 years.
4. Could there be an option for Council members to opt out of participating in PERS (which is not required) and instead put their money into a 457 account? A previous Mayor opted out of participating in PERS.

There was some discussion that followed by the Commission as to who the Commission should or could express the feedback information with and how the Council Members could best communicate their concerns to. There was also further discussion about if training on benefits information for Council Members.

Commissioner Hunter proposed that the Commission compose a letter to be given to the Mayor about the feedback and concerns the Commission has received from Council (when the Commissioners interviewed them).

Judge’s Salary

There was some discussion that followed by the Commission as to whether or not the Commission should or could look at changes to the Judge’s compensation due to the amount the state sets (that impacts and ultimately sets this position’s) salary and whether or not this position was on a contract. Ms. Hardie pointed out that the Commission could still look to make changes to the benefits, regardless of the salary.

After further discussion the Commission decided that they would provide some reference in the presentation to Council (with their binding recommendations) that unless something changed with the way that the Judge’s salary was determined (such as by contract) that the Commission did not feel that there was an ability to make a proposal to any changes to the salary piece.

Mayor’s Salary

There was some discussion that followed by the Commission about the Mayor’s salary and benefits information. The Commission decided that they would further consider/discuss the Mayor and Council’s salary and benefit(s) information at the next meeting.

GOALS FOR THE NEXT MEETING

The following items were determined for the next meeting’s agenda:

1. Discussion/review of the Mayor and Council’ salary and benefits information; evaluate best information.
2. Further discussion about the professional development budget/options. Commissioner Hunter proposed that if there is a budgeted amount, to specify the amount and then have the Mayor in charge of a committee formed to determine the professional development courses authorized for payment.
3. Review of the 2012 presentation; discussion of 2014 presentation.
4. Discussion of the content for the 2014 memo accompanying the presentation.

OTHER

Upcoming Critical Dates:

5/20/14	5:30	Second Public Hearing – CITY HALL (3 rd Floor, Fournier Room)	
6/5/14	5:30	Meeting	
6/12/14	5:30	Final Meeting	

