



## King County

### Metropolitan King County Council Committee of the Whole

#### STAFF REPORT

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<b>Agenda Item No.:</b>	<b>4</b>	<b>Date:</b>	<b>18 Oct 2010</b>
<b>Proposed Motion No.:</b>	<b>2010-0526</b>	<b>Prepared by:</b>	<b>Nick Wagner</b>

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#### SUMMARY

Proposed Motion 2010-0526 (pp. 3-5 of these materials) would authorize the Finance and Business Operations Division of the Department of Executive Services to accept donations in 2010 and 2011 from nonjudicial county elected officials in an amount sufficient to offset salary increases awarded to them by law in those years.

#### BACKGROUND

King County faces an estimated \$60 million budget deficit in 2011. In order to mitigate the effects of the deficit, most if not all of the county's nonjudicial elected officials<sup>1</sup> have expressed an intention to forego the salary increase that they would otherwise be entitled to, by law, in 2010 and 2011. (The salaries of Superior Court and District Court judges have been frozen by law since 2008.)

Since the salaries of the county's nonjudicial elected officials are established by law, the only way those officials can forego their 2010 and 2011 salary increases is by donating the increases to the county. The county code provides that the procedure for county acceptance of donations of more than \$2,000 is by motion of the Council.<sup>2</sup>

#### PROPOSED MOTION 2010-0526

Proposed Motion 2010-0526 (pp. 3-5 of these materials) would authorize the Finance and Business Operations Division of the county's Department of Executive Services to accept the nonjudicial county elected officials' donations of their 2010 and 2011 salary increases.

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<sup>1</sup> The county's nonjudicial elected officials comprise the Council, the Executive, the Prosecuting Attorney, the Sheriff, the Assessor, and the Director of Elections.

<sup>2</sup> K.C.C. § 2.80.010 ("Gifts, bequests and donations, of more than two thousand dollars, shall be accepted on behalf of King County by motion of the county council. (Ord. 15577 § 1, 2006; Ord. 1168 § 1, 1972).")

**AMENDMENTS**

There are two amendments to the proposed motion. Striking Amendment S1 (pp. 7-9 of these materials) would make several technical and minor substantive changes, which are on advice of legal counsel and are listed in the effects statement of the amendment on pp. 8-9 of these materials. Title Amendment T1 (p. 11 of these materials) would amend the title to conform to the striking amendment.

**ATTACHMENTS**

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1. Proposed Ordinance 2010-0526 .....	3
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3. 2010-0526 Title Amendment T1 .....	11
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**KING COUNTY**  
**Signature Report**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**October 15, 2010**

**Motion**

**Proposed No.** 2010-0526.1

**Sponsors** Ferguson and Patterson

1           A MOTION authorizing the finance and business  
2           operations division to accept 2010 and 2011 donations to  
3           the county general fund from the county executive, the  
4           prosecuting attorney, the county assessor, the director of  
5           elections, the county sheriff and the members of the county  
6           council.

7           WHEREAS, the county general fund faces an estimated sixty million dollar  
8           shortfall in 2011, and

9           WHEREAS, the county executive, the prosecuting attorney, the county assessor,  
10          the director of elections, the county sheriff and members of the county council have  
11          committed to freeze their salaries in 2011 in order to mitigate the impacts of the county's  
12          2011 general fund shortfall, and

13          WHEREAS, the salaries of superior and district court judges are established by  
14          the Washington Citizens' Commission on Salaries for Elected Officials and have been  
15          frozen since September 2008, and

16          WHEREAS, the salaries of nonjudicial elected county officials are established by  
17          King County Code, and

18          WHEREAS, to effectuate a freeze in salary for 2011, nonjudicial elected officials  
19          must donate their 2011 cost of living adjustments to the county, and

20           WHEREAS, King County Code requires that the county council accept by motion  
21 donations to the general fund in excess of two thousand dollars;

22           NOW, THEREFORE, BE IT MOVED by the Council of King County:

23           A. The finance and business operations division is authorized to accept from the  
24 county executive, the prosecuting attorney, the county assessor, the director of elections,  
25 the county sheriff and the members of the county council a 2010 donation to the county  
26 general fund of a specific dollar amount that is based on a percentage of annual salary,  
27 cost of living adjustment or some combination thereof, as determined by each individual.

28           B. The finance and business operations division is authorized to accept from the  
29 county executive, the prosecuting attorney, the county assessor, the director of elections,  
30 the county sheriff and the members of the county council a 2011 donation to the county

31 general fund of a specific dollar amount that is based on a percentage of annual salary,  
32 cost of living adjustment or some combination thereof, as determined by each individual.  
33

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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Robert W. Ferguson, Chair

ATTEST:

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Anne Noris, Clerk of the Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Dow Constantine, County Executive

**Attachments:** None

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October 18, 2010

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Sponsor: Ferguson

Proposed No.: 2010-0526

1 **STRIKING AMENDMENT TO PROPOSED MOTION 2010-0526, VERSION 1**

2 On page 1, beginning on line 7, strike everything through page 3, line 32, and insert:

3 "WHEREAS, the county general fund faces an estimated sixty million dollar  
4 shortfall in 2011, and

5 WHEREAS, the county executive, the prosecuting attorney, the county assessor,  
6 the director of elections, the county sheriff and one or more members of the county  
7 council have chosen or may choose to forego any increase in their salaries in 2011 in  
8 order to mitigate the impacts of the county's 2011 general fund shortfall, and

9 WHEREAS, the salaries of superior and district court judges are established by  
10 the Washington Citizens' Commission on Salaries for Elected Officials and have been  
11 frozen since September 2008, and

12 WHEREAS, the salaries of nonjudicial elected county officials are established by  
13 law, and

14 WHEREAS, to forego a salary increase for 2011, nonjudicial elected officials  
15 must donate the increase to the county, and

16 WHEREAS, the King County Code requires that the county council accept by  
17 motion donations to the general fund in excess of two thousand dollars, and

18 WHEREAS, the value of each elected official's donation will exceed two  
19 thousand dollars for each year;

20 NOW, THEREFORE, BE IT MOVED by the Council of King County:

21 The finance and business operations division is authorized to accept from the  
22 county executive, the prosecuting attorney, the county assessor, the director of elections,  
23 the county sheriff and the members of the county council a 2010 and a 2011 donation to  
24 the county general fund of a specific dollar amount that is based on a percentage of  
25 annual salary, increase in annual salary or some combination thereof, as determined by  
26 each individual."

27 **EFFECT: The amendment would:**

- 28 **1. Insert the words "one or more" before "members" in line 6 above;**
- 29 **2. Change "have committed to freeze" to "have chosen or may chose to**  
30 **forego any increase in" in line 7 above;**
- 31 **3. Change "King County Code" to "law" in line 13 above;**
- 32 **4. Change "effectuate a freeze in salary" to "forego a salary increase" in line**  
33 **14 above;**
- 34 **5. Change "their 2011 cost of living adjustments" to "the increase" in line 15**  
35 **above;**
- 36 **6. Insert ", and" at the end of line 17 above;**
- 37 **7. Insert "WHEREAS, the value of each elected official's donation will**  
38 **exceed two thousand dollars for each year" in lines 18 and 19 above;**
- 39 **8. Change "a 2010" to "a 2010 and a 2011" in line 23 above;**



- 40           **9. Change "cost of living adjustment" to "increase in annual salary" in line**  
41 **25 above; and**  
42           **10. Delete section B from lines 28-32 of the original ordinance.**

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Oct. 18, 2010

**T1**

nw

Sponsor: Ferguson

Proposed No.: 2010-0526

1 **TITLE AMENDMENT TO PROPOSED MOTION 2010-0526, VERSION 1**

2 On page 1, line 5, after "sheriff and" strike "the members" and insert "members"

3 **EFFECT: Amends the title to conform to the striking amendment.**

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**October 15, 2010**

**Motion**

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10          the director of elections, the county sheriff and one or more members of the county  
11          council have ~~committed to freeze~~ chosen or may choose to forego any increase in their  
12          salaries in 2011 in order to mitigate the impacts of the county's 2011 general fund  
13          shortfall, and

14          WHEREAS, the salaries of superior and district court judges are established by  
15          the Washington Citizens' Commission on Salaries for Elected Officials and have been  
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17          WHEREAS, the salaries of nonjudicial elected county officials are established by  
18          ~~King County Code~~ law, and

Motion

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19 WHEREAS, to effectuate a freeze in forego a salary increase for 2011,  
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23 donations to the general fund in excess of two thousand dollars, and;

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31 annual salary, ~~cost of living adjustment~~ increase in annual salary or some combination  
32 thereof, as determined by each individual.

33 ~~———— B. The finance and business operations division is authorized to accept from the~~  
34 ~~county executive, the prosecuting attorney, the county assessor, the director of elections,~~  
35 ~~the county sheriff and the members of the county council a 2011 donation to the county~~

[REDLINE SHOWING AMENDMENT CHANGES]

Motion

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36 ~~general fund of a specific dollar amount that is based on a percentage of annual salary,~~  
37 ~~cost of living adjustment or some combination thereof, as determined by each individual.~~  
38

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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Robert W. Ferguson, Chair

ATTEST:

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Anne Noris, Clerk of the Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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~~Dow Constantine, County Executive~~

**Attachments:** None