

SUBJECT: CHAPTER 2.16 CODE REVISION REGARDING MAYOR DUTIES

REQUESTED AND PREPARED BY: K. VanGorder, City Clerk *KV* DATE: April 7, 1999

FOR AGENDA OF: April 12, 1999

SUMMARY:

A few months ago, you will remember changing the qualifications of council members seeking office to be consistent with the election code and qualifications of council members in Chapter 2.04 (Ord. 98-57). At that time, the section on qualifications of Mayor, which also has the same conflict, was overlooked.

Ordinance Serial No. 99-15 amends chapter 2.16 to provide for the correction for individuals seeking office for the position of Mayor. As you know, it is always my intent to clean up sections of the code at the time a section is being revised. Therefore, I have also made some grammatical and technical revisions to allow for easier understanding of this chapter. Also, section 2.16.020, mayor's additional duties, has been relocated to 2.16.010, mayor duties, items 4 through 9. The reference to the manager form of government is also repealed.

The addition of the vacancy in the office of mayor (2.16.040(B)) and the provisions of veto of the mayor (2.16.070) have been taken directly out of Title 29. This allows the public, administration, and council one place to look up the law. I have discussed these issues with our attorney and he concurs with the proposed changes.

Since Section 2 of the ordinance also affects elections, this ordinance will also be submitted to the Department of Justice for preclearance. Since the qualifications of mayor will affect the notice requirements of candidates in July, this ordinance should be adopted no later than the first week of May since the Department of Justice review takes approximately 70 days.

Attached is a sectional analysis of the changes presented in this ordinance. This will assist you if you should have questions.

FISCAL IMPACT: No Yes, amount requested: \$ Fund:

RECOMMENDED ACTION: Introduce ordinance and set for public hearing.

MAYOR REVIEW/COMMENT:

S. Palin

Presented with: Ord 99-15
Date: 4-26-99 Verified by: K. VanGorder

Reviewed by: SARAH PALIN, Mayor

Sectional Analysis of Ordinance Serial No. 99-15

Section 2, WMC 2.16.025, Qualifications of Mayor

Language changed to be consistent Title 29.20.240. Also makes language consistent with requirements for council members and WMC 18.15.010. This also identifies that the mayor cannot hold the office of council member or city employee.

Section 3, WMC 2.16.005, Department Established

Grammatical Change only.

Section 3, WMC 2.16.010, Mayor Duties

Language changed to be consistent Title 29.20.250 and 29.20.500 as currently stated in WMC 2.16.020. Section 2.16.020 is deleted in this ordinance and included in this code section as items 4, 5, 6, 7, and 8.

Section 3, WMC 2.16.030 Election of Term of Office of Mayor

Change in sentence structure and addition of the requirement to take an oath of office.

Section 3, WMC 2.16.040 Vacancy in the Office of Mayor

Reflects vacancy in office in days rather than months along with grammatical changes. A new sub-section (B) is added which is consistent with Title 29.20.280.

Section 3, WMC 2.16.050 Deputy Mayor.

This section clarifies when the deputy mayor shall be appointed and assumes the deputy mayor is appointed until the mayor appoints another person to serve as deputy mayor.

Section 3, WMC 2.16.060 Salary of Mayor.

Corrected language to provide clarity. Amended to reflect a salary to be adopted 90 days prior to the regular election. This will allow for the salary to be known at the time the filing period for the office of mayor is opened. Reference to manager plan deleted and reference to employee benefits for the position is added.

Section 4, WMC 2.16.070 Veto by Mayor

This is a new section, which is consistent with Title 29.20.270.

Section 5, WMC 2.16.020 Mayor's Additional Duties.

Is repealed in its entirety, and will be included in section 2.16.010, Mayor Duties as items 4, 5, 6, 7, and 8.