#8

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 118116

AN ORDINANCE relating to City employment; establishing a compensation program for the Seattle Police Chief; specifying provisions for the administration of said compensation program; providing for reimbursement of relocation expenses for the 2014 Seattle Police Chief appointee; authorizing a severance agreement with the 2014 Seattle Police Chief appointee; and ratifying and confirming prior acts.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Establishing a compensation program for the Seattle Police Chief. As recommended by the Personnel Director, there is hereby established a discretionary pay program to be known as the Seattle Police Chief Compensation Program for the department head of the Seattle Police Department.

A. Establish Position Title: Position #00005028, Executive 4, is hereby retitled to Seattle Police Chief with no change in status, effective June 23, 2014. This title shall be used only for the position which may be interchangeably referenced in other documents as the Head of the Seattle Police Department, Department Director for Seattle Police Department, and Seattle Chief of Police.

B. Base Pay: Effective June 23, 2014 the Seattle Police Chief pay band is hereby established as specified:

Department	Title	Salary Rate/Hour
Police	Seattle Police Chief	$75.13 - $120.20

The Mayor shall have the discretion to pay the incumbent in this position a base salary anywhere within the band.

C. Relocation Expenses: Notwithstanding the provisions of Seattle Municipal Code Chapter 4.14, the City will have the authority to reimburse the Seattle Police Chief up to $40,000 for reasonable moving expense ("moving expenses"). Such moving expenses shall include: food and lodging and other travel costs associated with securing permanent housing; temporary housing; and all lodging, food, and transportation of family and expenses and household goods and personal effects which are incurred solely for the purpose of relocating, from departure of such family and goods from place of current residence until the time that such family and possessions arrive in the City. Should the 2014 Seattle Police Chief appointee leave the Seattle Police Department prior to 24 months of employment, he or she will reimburse the Seattle Police Department for all moving expenses paid.

D. Severance Agreement. The Seattle Police Chief serves at the pleasure of the Mayor and therefore may be separated from his or her employment with the City at any time. Should the Mayor remove the 2014 Seattle Police Chief appointee without cause prior to December 31, 2017, the City shall provide severance pay/early separation compensation of 12 months' base pay, provided that the Chief executes a full release of claims, to the extent permitted by law. The 2014 Seattle Police Chief appointee shall not be eligible for such severance payment if he or she is separated for cause.

E. The Personnel Director is authorized to develop and publish a plan document consistent with the elements included in the ordinance to administer the Seattle Police Chief compensation program.

F. The Personnel Director shall review the pay band at least every two years and recommend adjustments to the structure for approval by the City Council.

Section 2. The Seattle Police Chief is eligible for any market adjustments approved by the Mayor.

Section 3. The several provisions of this ordinance are declared to be separate and severable and the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 4. The heads of respective departments affected by this ordinance are hereby authorized to make administrative decisions necessary to carry out the intent of this ordinance and to use unexpended and unencumbered funds accumulating in their respective budgets to pay the compensation authorized herein in accordance with SMC Chapter 5.08.

Section 5. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2014, and signed by me in open session in authentication of its passage this _____ day of _____, 2014.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2014.

_____

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2014.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Form revised: February 26, 2014

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Personnel	Sarah Butler/684-7929	Jeanette Blankenship/ 615-0087

Legislation Title:

AN ORDINANCE relating to City employment; establishing a compensation program for the Seattle Police Chief; specifying provisions for the administration of said compensation program; providing for reimbursement of relocation expenses for the 2014 Seattle Police Chief appointee; authorizing a severance agreement with the 2014 Seattle Police Chief appointee; and ratifying and confirming prior acts.

Summary of the Legislation:
This legislation creates a new compensation program for the City of Seattle's Chief of Police. Effective June 23, 2014, Position #00005028, which is designated an "Executive 4" and filled by the person who is commonly known as the Chief of Police of the Seattle Police Department, will be retitled to "Seattle Police Chief." The base pay provided by this legislation will be effective on June 23, 2014.

The legislation also authorizes reimbursement of moving expenses and severance pay for the 2014 Police Chief appointee. The City will reimburse the 2014 Police Chief appointee up to $40,000 for reasonable moving expenses, including travel costs associated with securing permanent housing; temporary housing; and costs incurred for the purpose of relocating family and goods from the place of current residence to arrival to the City of Seattle. Should the 2014 appointee leave the Seattle Police Department prior to 24 months of employment, he or she will reimburse the department for all moving expenses paid. The City will also pay the 2014 appointee 12 months severance pay should the Mayor remove the appointee prior to December 31, 2017 for reasons other than cause.

Background:
In 2013, Seattle's previous Police Chief John Diaz retired. On May 19, 2014, Mayor Ed Murray announced and appointed a new Police Chief. This appointment is the culmination of a national search; all finalists under consideration were living outside of Washington State.

Please check one of the following:

____ **This legislation does not have any financial implications.**

_X_ **This legislation has financial implications.**

Notes:

While this legislation provides adjustments to the pay program for the Police Chief, it does not request additional appropriation authority. Cost impacts associated with increases to the Police Chief's salary, as well as the one-time cost impact of the moving expense reimbursement and the unlikely event of the Police Chief's separation from the City, will be managed within the Seattle Police Department's existing budget. Supplemental or other budget changes will be requested only if necessary.

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?**
Cost impacts associated with this legislation will be managed within the Seattle Police Department's existing budget. Supplemental or other budget changes will be requested only if necessary.

b) **What is the financial cost of not implementing the legislation?**
If this legislation is not implemented, the Police Chief will continue to receive compensation under the Executive 4 job title and will not be eligible for additional moving expenses reimbursement or for severance pay.

c) **Does this legislation affect any departments besides the originating department?**
This legislation only directly impacts the Seattle Police Department.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
None.

e) **Is a public hearing required for this legislation?**
No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.

g) **Does this legislation affect a piece of property?**
No.

h) **Other Issues:** None.

List attachments to the fiscal note below: None.

City of Seattle
Edward B. Murray
Mayor

May 27, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that provides for certain employment conditions for the Seattle Chief of Police.

This legislation creates a new compensation program for the City of Seattle's Chief of Police. Effective June 23, 2014, the current City position which is designated an "Executive 4" and filled by the person who is commonly known as the Chief of Police of the Seattle Police Department, will be retitled to "Seattle Police Chief." The base pay provided by this legislation will be effective on June 23, 2014. The legislation also authorizes reimbursement of moving expenses and severance pay for the 2014 Police Chief appointee. The City will reimburse the 2014 Police Chief appointee up to $40,000 for reasonable moving expenses, including travel costs associated with securing permanent housing; temporary housing; and costs incurred for the purpose of relocating family and goods from the place of current residence to arrival to the City of Seattle. Should the 2014 appointee leave the Seattle Police Department prior to 24 months of employment, he or she will reimburse the department for all moving expenses paid. The City will also pay the 2014 appointee 12 months of severance pay should the Mayor remove the appointee prior to December 31, 2017 for reasons other than cause.

Thank you for your consideration of this legislation. Should you have questions, please contact Sarah Butler at (206) 684-7929.

Sincerely,

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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