

ORDINANCE O-4744

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PERSONNEL, MANAGEMENT LEAVE FOR ELIGIBLE EMPLOYEES AND CITY MANAGER DISCRETIONARY AUTHORITY TO AUTHORIZE ADDITIONAL MANAGEMENT LEAVE FOR ELIGIBLE EMPLOYEES SERVING IN OVERTIME-EXEMPT POSITIONS IDENTIFIED BY THE CITY MANAGER IN THE CITY MANAGER'S DISCRETION FOR USE IN 2021 ONLY DUE TO EXTRAORDINARY ADDITIONAL WORK TIME REQUIRED IN 2020 RESULTING FROM COVID-19, SOCIAL UNREST, ECONOMIC DISRUPTIONS AND BUDGET CHALLENGES.

1 WHEREAS, 2020 presented unprecedented challenges and
2 disruptions in Kirkland; and
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4 WHEREAS, in Kirkland those challenges included the
5 ongoing COVID-19 pandemic (including the first reported cases in
6 the United States), significant social unrest and demands for racial
7 justice and equality, severe and continuing impacts to the local
8 economy and its businesses, renters and taxpayers, as well as
9 unique challenges to biennial budgeting process for the City of
10 Kirkland ("City"); and
11

12 WHEREAS, the City's diligent and in some instances
13 ground-breaking responses to these unprecedented challenges
14 created additional and extraordinary work time and hours for
15 many of the City's executive management group, managers and
16 supervisors serving in overtime exempt positions ("eligible
17 employees"); and
18

19 WHEREAS, the City Council has previously adopted a
20 management leave program for its eligible employees, which
21 program is codified at Kirkland Municipal Code ("KMC") 3.80.115;
22 and
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24 WHEREAS, the City's management leave program
25 recognizes that employees who are exempt for purposes of
26 overtime pay often put in hours that extend beyond the standard
27 work week, without additional compensation or compensatory
28 time off, to meet the demands of their position; and
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30 WHEREAS, the City Manager has concluded that the
31 regular management leave benefits should be extended for some
32 eligible employees in the discretion of the City Manager on a one-
33 time and limited basis for use in 2021 in recognition of the
34 additional extraordinary work they performed in response to the
35 unprecedented challenges of 2020; and
36

37 WHEREAS, such additional management leave for eligible
38 employees identified by the City Manager would be capped at no
39 more than 40 hours for each identified eligible employee and
40 granted at the start of 2021 and required to be used or cashed by
41 the end of 2021 in accordance with the general provisions of KMC
42 3.80.115; and

43 WHEREAS, in recognition of the additional extraordinary
44 work performed by many eligible employees in responding to the
45 unprecedented challenges of 2020 the City Council wishes to grant
46 the City Manager such one-time authority notwithstanding any
47 provisions seemingly to the contrary contained in KMC 3.80.115
48 or otherwise.

49
50 NOW, THEREFORE, the City Council of the City of Kirkland
51 do ordain as follows:

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53 Section 1. Notwithstanding anything seemingly to the
54 contrary in Kirkland Municipal Code ("KMC") 3.80.115 or
55 otherwise, and in recognition of the unprecedented challenges
56 faced by the City of Kirkland in 2020, which resulted in the need
57 for extraordinary additional work by many eligible employees
58 serving in overtime-exempt positions, specifically including
59 individual members of the City's executive management group,
60 managers and supervisors, the City Manager is hereby authorized,
61 in his discretion, to grant up to 40 additional hours of
62 management leave to each eligible employee identified by the City
63 Manager on a one-time basis for use in 2021, which amounts, if
64 granted, will be provided at the start of 2021 for use or payment
65 in 2021 in accordance with the general provisions of KMC
66 3.80.115. No additional management leave hours authorized by
67 the City Manager in 2021 shall be carried forward to 2022.

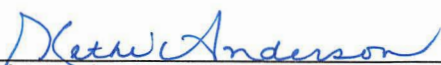
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69 Section 2. This ordinance will not be codified and shall be
70 in force and effect five days from and after its passage by the
71 Kirkland City Council and publication, as required by law.

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73 Passed by majority vote of the Kirkland City Council in open
74 meeting this 8 day of December, 2020.

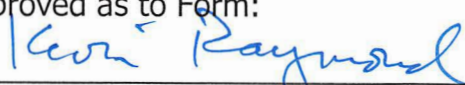
75
76 Signed in authentication thereof this 8 day of December,
77 2020.



Penny Sweet, Mayor

Attest:


Kathi Anderson, City Clerk

Approved as to Form:


Kevin Raymond, City Attorney

Publication Date: 12/14/2020